DOCUMENT RESUME

ED 152 886 UD 018 059

AUTHOR Green, Robert L.
TITLE Northern School Desegregation: Educational, Legal, and Political Issues.
PUB DATE 74
NOTE 63p.; Offprint of Chapter X of the Seventy-third Yearbook of the National Society for the Study of Education, "Uses of the Sociology of Education," 1974
AVAILABLE FROM The entire Seventy-third Yearbook of the National Society for the Study of Education is available from the University of Chicago Press, 5801 Ellis Avenue, Chicago, Illinois 60637 ($10.00)

EDRS PRICE MF-$0.83 HC-$3.50 Plus Postage.
DESCRIPTORS Black Population Trends; Blacks; Bus Transportation; Educational Practice; Government Role; Historical Reviews; *Integration Effects; *Integration Litigation; *Integration Methods; *Integration Studies; Laws; *Political Issues; *School Integration; Urban to Suburban Migration
IDENTIFIERS *Michigan (Detroit)

ABSTRACT

Educational, legal, and political issues affect Northern school desegregation. The United States has failed to meet the challenge of developing a multiracial society in which minority group members are a significant part of the machinery of the national life. Two separate societies, one black and one white, are a reality both educationally and residentially. Black migration patterns, and urban racial composition, implications of migration patterns for education, the role of the federal government, the role of realtors and bankers, local and state government school board action, the failure of open housing laws, changing racial attitudes, segregation and white superiority, the role of the teacher, student achievement and the multiracial classroom, the busing controversy, and the political nature of education are all factors to be considered in school desegregation. The Detroit school desegregation experience was affected by many of these factors. (Author/AM)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED152886

NORTHERN SCHOOL DESEGREGATION: EDUCATIONAL, LEGAL, AND POLITICAL ISSUES

ROBERT L. GREEN

Dean, College of Urban Development; Pro
of Educational Psychology
Michigan State University
East Lansing, Michigan

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Kenneth J. Rehage
Nat'l Soc for Study Edu

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

Offprint from the
Seventy-third Yearbook of the National Society
for the Study of Education

USES OF THE SOCIOLOGY OF EDUCATION
1974

Note: This offprint of Chapter X (pp. 213-273) of the Seventy-third Yearbook, Part II, is made by permission of the Society for private distribution by the Author. Copies of the entire yearbook (648 pp.) from which this offprint is made may be secured for $10.00, postpaid in cloth binding from The University of Chicago Press

THE NATIONAL SOCIETY FOR THE
STUDY OF EDUCATION
5835 Kimbark Avenue
Chicago, Illinois 60637

All copyright privileges reserved by the So

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

UD018059

CHAPTER X

Northern School Desegregation: Educational, Legal and Political Issues

ROBERT L. GREEN

Introduction

Six years ago, several cities across America erupted in what became known as the disturbances of the summer of 1967. Federal troops and National Guardsmen occupied these cities, homes burned, and men, women, and children lost their lives in a summer of urban rebellion. Following these events, politicians, educators, sociologists, journalists, and other leading citizens called on America to make a renewed and revitalized commitment to tackling the pressing urban problems so long ignored by the private and public sectors of the American power structure. Extensive studies sponsored by the government, private foundations, and universities examined the causes of this crisis and outlined ameliorative steps to prevent the occurrence of a second "long hot summer."

Looking at the record since 1967, it is impossible to conclude that we have made any significant or lasting strides toward this goal. It is true that we have not had large-scale repetitions of the 1967 rebellion in our cities. But the problems of urban America still linger and fester in too many communities and their effect is felt throughout whole metropolitan areas. The wounds of 1967 have been bandaged, but America has failed to devise and implement a significant strategy leading to the development of an effective set of alternatives to the American crisis and dilemma manifested in the summer of that year.

George Romney, formerly secretary of housing and urban de-

The author wishes to express his appreciation to Ms. Barbara Parness, Research Assistant, Center for Urban Affairs, Michigan State University, for her invaluable research in the preparation of this article.

velopment in the Nixon administration, has concurred with this pessimistic view of the current status of urban America and the progress made since 1967. In a recent interview, the former Michigan governor stated:

> Like others, I was not aware of the seriousness of the urban situation. We're doing some things better than we did then, but I do not believe we're making as much progress as we need to make. I don't think there's any question we still have not resolved many of the basic reasons that brought about the riots.[1]

Now, America's metropolitan areas are once again in turmoil. This time it is over one specific issue—the busing of school children to achieve racial balance. This time, however, it will not be segments of the black community taking to the streets, nor will it be southern whites blocking schoolhouse doors to keep blacks out, as they did in the 1950s and early 1960s. Rather, it is northern urban and suburban whites who threaten to take to the streets or withdraw their children from public schools, protesting the legal integration of their children with black Americans. As in 1967, the eyes of America are particularly focused on Detroit, Michigan, where Federal District Court Judge Stephen Roth has ordered two-way busing between Detroit and fifty-two white suburbs, the largest desegregation order ever issued in either the North or South.[2]

Desegregation in the North

SEPARATE SOCIETIES

Following its study of the 1967 rebellion, the National Advisory Commission on Civil Disorders (Kerner commission) urged America to adopt desegregation as "the priority education strategy because it is essential to the future of American society."[3] The commission warned that without the opportunity to interact in the educational setting, the racial attitudes produced by three centuries of myths,

1. Saul Friedman, "Politics of the Riot, Romney Dueled LBJ," *Detroit Free Press*, 27 July 1972, p. 9A.

2. *Bradley et al.* v. *Milliken et al.*, U.S. District Court (E.D. Michigan) Civil Action 35257, Sept. 27, 1971, "Ruling on Issue of Segregation."

3. *Report of the National Advisory Commission on Civil Disorders* (New York: New York Times Co., 1968), p. 438.

ignorance, and bias would be perpetuated. But this was hardly the first warning of its kind. Two years earlier, U.S. Commissioner of Education Harold Howe II challenged a conference of school administrators to meet the need for quality multiracial education. Howe stated: "A revolution is brewing under our feet, and it is largely up to the schools to determine whether the energies of that revolution can be converted into a new and vigorous source of American progress or whether the explosion will rip this nation into two societies." [4]

In spite of these warnings, America has failed to meet the challenge of developing a multiracial society in which minority group members are a significant part of the machinery of our national life. Between 1910 and 1960 the majority of the nation's blacks moved from rural areas to urban centers.[5] But unlike European immigrant groups, blacks have been oppressed within the urban social structure, separated not by accident or choice but by differences in income, education, and skin color from the economically prospering white majority. The separate societies—one black, one white—predicted by the Kerner commission[6] have become a reality, both educationally and residentially. The promises of change born with the Supreme Court decisions of *Brown* v. *Board of Education* (1954) to end school segregation and of *Shelley* v. *Kraemer* (1948) to end housing segregation remain unfulfilled.[7]

EDUCATIONAL SEGREGATION

In the nineteen years since the court outlawed segregated education, we have witnessed the increasing separation of children along racial lines in the nation's schools. In 1952 Bond estimated that only 7 percent of black elementary and 10 percent of black high school

4. Donald H. Bouma and James Hoffman, *The Dynamics of School Integration: Problems and Approaches in a Northern City* (Grand Rapids, Mich.: William B. Erdman's Publishing Co., 1968), p. 10.

5. Karl E. Taeuber and Alma F. Taeuber, *Negroes in Cities* (Chicago: Aldine Publishing Co., 1965), p. 1.

6. *Report of the National Advisory Commission on Civil Disorders*, p. 1.

7. In *Brown* v. *Board of Education* (1954) the court ruled that separate but equal educational facilities are "inherently" unequal. In *Shelley* v. *Kraemer* (1948) the court said judicial enforcement of racially restrictive neighborhood covenants violates the Fourteenth Amendment guarantee of equal protection.

pupils in America attended "physically integrated" schools. In the North and West, however, Bond found that the degree of integration was considerably greater, with 25 percent of black elementary and 50 percent of black high school students in integrated schools.[8] It can be inferred from those data that the preponderance of segregated schools in America at that time was located in the South where state and local ordinances explicitly enforced segregated education.

The expectation that segregated schooling would begin to disappear following the 1954 court decision has not been realized. While northern liberals berated the South for its racist policies and practices and the federal government spent most of its efforts below the Mason-Dixon line, the schools of the urban North and West caught up with and even surpassed the South in the degree of educational segregation practiced. Between 1940 and 1960 the black population of the South increased by 1.4 million, while the black population of the North increased by 4.6 million.[9] However, northern school boards failed to place black migrants into the schools which white children attended, routing them into schools in which black northerners had historically been contained. Dentler observed in 1966 that school segregation is so widespread in the North that "if the public schools are placed on a scale from all-white to all-Negro, the great majority of them will cluster at the far extremes."[10] The Coleman report (1966) confirmed this statement, noting that nearly 80 percent of all white first- and twelfth-graders attended schools that were 90–100 percent white, while more than 65 percent of black first-graders were in schools 90 or more percent black and 87 percent of black first-graders were in majority-black

8. Horace Mann Bond, "The Present Status of Racial Integration in the United States, with Especial Reference to Education," *Journal of Negro Education* 21 (1952) 242-43.

9. Taeuber and Taeuber, *Negroes in Cities*, p. 13.
(In long chapters containing many footnotes and repeated references to the same source, short titles are generally used instead of, or in addition to, the abbreviation op. cit.).

10. Robert A. Dentler, "Barriers to Northern School Desegregation," in *Urban Planning and Social Policy*, ed. Bernard J. Frieden and Robert Morris (New York: Basic Books, 1968), p. 162.

schools.[11] One year later the U.S. Commission on Civil Rights reported in a study of seventy-five American cities that 75 percent of black elementary pupils attended schools 90–100 percent black, while 83 percent of all white students attended schools 90 or more percent white.[12] The commission found that nearly 90 percent of all black elementary pupils attended majority-black schools. Figures for school enrollment in the fall of 1968 indicated little change in this pattern of educational segregation.[13]

The picture for nationwide school desegregation remains as bleak in the 1970s as it was in the fifties and sixties. What has become clear, however, is that northern school officials have been doing an even more effective job of separating students by race than have their southern counterparts. The South achieved educational segregation by means of law prior to 1954, and since then some progress has been made to reverse segregated educational patterns. The North, however, historically avoided such explicit laws and instead relied on residential segregation to insure the same end. While the South applied brute force to keep blacks and whites separate, the North employed attorneys to argue in the courts that school segregation came about through no official actions or policies, but rather through "accident of residence." This contrast in methods led Commissioner of Education Howe to question which was worse—"the honest bigotry of the South or the well-intentioned timidity of the North."[14]

To date the courts have failed to combat effectively de facto school segregation, and President Nixon has stated that his administration will concentrate only on areas of the country where segregation has come about through explicit laws—i.e., the South. The effects of this public policy are made evident in recent reports on school segregation. These reports reveal that the only real gains

11. James S. Coleman et al., *Equality of Educational Opportunity*, summary report (Washington, D.C.: U.S. Government Printing Office, 1967), p. 3.

12. U.S. Commission on Civil Rights, *Racial Isolation in the Public Schools*, 2 vols. (Washington, D.C.: U.S. Government Printing Office, 1967), 1:3-5.

13. Meyer Weinberg, *Desegregation Research: An Appraisal* (Bloomington, Ind.: Phi Delta Kappa, 1970), p. 5.

14. Bouma and Hoffman, *Dynamics of School Integration*, p. 14.

made have been in the South, while northerners have failed to deal with their own segregation problem and, instead, have compounded it through flight to white suburbia. Data released by the Department of Health, Education, and Welfare (HEW) in June 1971 revealed that nationally the total number of blacks attending majority-white schools rose from 23.4 percent in fall 1968 to 33.1 percent in fall 1970. Within the same period in the North and West, the number of blacks in majority-white schools actually dropped 0.1 percent.[15] Updated HEW figures released in January 1972 showed once again that a greater percentage of black pupils in the North than in the South are still in all-black schools.[16] In eleven southern states, 9.2 percent of blacks are in all-black schools as compared to 68 percent in 1968. In the North 11.2 percent of blacks are still in all-black schools, a drop of only 1.1 percent since 1968.[17] HEW civil rights chief J. Stanley Pottinger has said that the dramatic improvement in the South can be traced directly to busing programs implemented there to achieve racial balance. Given the considerable increase in absolute numbers of school children since 1954, it is safe to conclude that the actual number of children attending segregated schools in the North has greatly increased in the last nineteen years.[18] The Supreme Court decision heralded as marking "the biggest improvement in the legal position of the Negro . . . in eighty years" [19] has actually provided equality only on paper, while segregated educational practices have continued to spread and grow.

RESIDENTIAL SEGREGATION

Because northerners have inextricably tied the question of school segregation to the issue of residential segregation, the ineffectiveness

15. Department of Health, Education, and Welfare, *Press Release A-66*, June 18, 1971.

16. "Pupil Integration Paced by South," *New York Times*, 13 January 1972, p. 32.

17. These figures do not take into account the great number of blacks and whites in schools with only a very small percentage of children of the opposite race.

18. Weinberg, *Desegregation Research*, p. 8.

19. John L. Fletcher, *The Segregation Case and the Supreme Court* (Boston: Boston University, Department of Government, 1958), p. 1.

of the 1948 court mandate against judicial enforcement of racially restrictive covenants is an integral part of any discussion of northern school segregation. Because this court action did less than nothing to change existing segregated housing patterns, today we cannot realistically effect school desegregation without busing.

Grodzins in his study of the metropolitan area as a racial problem stated that "one universal rule is that residential concentrations are segregated."[20] He pointed out that in every major city there is a "black belt" or a series of "black areas" surrounded by totally white areas. The social isolation of northern urban blacks and whites, he said, is far more complete than it ever was in the rural South.[21] The Taeubers confirm this high degree of residential segregation.[22]

The residential containment of the black man in America has increased over time. The segregation index[23] for 83 of 109 cities studied by the Taeubers increased between 1940-1950. During the next decade, the index for 43 of the 109 cities again increased.[24] In 1968 Taeuber and University of Michigan population expert Farley analyzed special census data for thirteen cities collected after 1960. They concluded:

> Putting these results together with those of 1940-60, there is strong evidence that the pervasive pattern of residential segregation has not been significantly breached. . . . Stability in segregation patterns has been maintained despite massive demographic transformation, marked advances in Negro economic welfare, urban renewal and other clearance and resettlement programs, considerable undoubling of living quarters and diminished room crowding, high vacancy rates in many of the worst slums, and an array of federal, state and local anti-discrimination regulations.[25]

Despite the 1948 decision against racially restrictive covenants,

20. Morton Grodzins, *The Metropolitan Area as a Racial Problem* (Pittsburgh: University of Pittsburg Press, 1958)), p. 5.

21. Ibid., p. 11.

22. Taeuber and Taeuber, *Negroes in Cities*, p. 2.

23. The Taeubers define the segregation index as the number of nonwhite people who would have to move in order for each census tract and city block to have the same racial balance as the city taken as a whole.

24. Taeuber and Taeuber, *Negroes in Cities*, p. 37.

25. Karl E. Taeuber and Reynolds Farley, "Population Trends and Residential Segregation Since 1960," *Science* 159 (1968): 955.

the U.S. Commission on Civil Rights reported in 1967 that these covenants are still used and are helping to maintain patterns of segregation in America.[26] While these conclusions are disturbing per se, their implications are even more significant when we look at developments in the South, the only area where some progress has been made in school desegregation. When we study the South, we find that where the low status of blacks can no longer be maintained by economic factors, legal barriers, or the so-called etiquette of race relations, de facto or residential segregation is now being used to achieve resegregation of the schools.[27] Weinberg noted that "housing segregation is growing fastest in southern cities, thus supplying the de-facto-ists the arguments they have learned from their northern brethren."[28]

WHY WE HAVE FAILED

If we are to begin to take positive and effective action toward rebuilding America into one society—black and white together—it is imperative that we ask ourselves why we have failed to bring multiracialism to American education and American society during the last two decades. In effect, we have closed our eyes to the real problems of blacks and whites in the cities. Token efforts have been made to build a multiracial society, but Americans have failed to make the necessary moral commitment. America boasts of being a nation where anything is possible. Through vast expenditures of time, money, and human effort it has sent men to the moon and brought them back safely, yet it has been unable to bring equality of and quality in education to all its children. Racism continues to pervade American life and each day destroys a little more the promise of real equality for the black man.[29]

26. U.S. Commission on Civil Rights, *Racial Isolation*, p. 21.

27. *Equal Educational Opportunity, Part 5: De Facto Segregation and Housing Discrimination*, Hearings before the Select Committee on Equal Educational Opportunity, U.S. Senate, August 25-27, Sept. 1, 1970, 91st Cong., 2d. sess., 1971, pp. 256-57.

28. Meyer Weinberg, "De Facto Segregation: Fact or Antifact?" in *Learning Together*, ed. Meyer Weinberg (Chicago: Integrated Education Association, 1964), p. 143.

29. Earl Seidman, "Introduction," in Antron Gentry et al., *Urban Education: The Hope Factor* (Philadelphia: W. B. Saunders Co., 1972), p. viii. For

America's leaders have failed to offer the needed direction in the urban educational sphere. The advances made by blacks in the last twenty years have come about only through the diligent work of the struggling black masses and a few charismatic black leaders —men such as Martin Luther King Jr., Whitney M. Young Jr., Thurgood Marshall, and others in the NAACP. In many instances white society has taken other talented young blacks and elevated them to high positions where they could be of less direct help to the black community. These black men could only do so much and go so far; they raised white consciousness of the black man's status in America and they broke down the symbols of inequality in white society such as "white-only" lunch counters and public accommodations. What has become evident, though, is that institutional changes must come about through the active commitment and participation of white society. A black-white coalition is necessary to rearrange the power structures in America that negatively affect the status of blacks and other oppressed minorities.

White politicians from the president down to local officials, religious leaders, and, most significantly, school administrators and teachers, have been content to sit back and practice a "philosophy of indifference" [30] or "benign neglect" [31] with respect to educating minorities. Education in the U.S. has served only to reflect conditions in our society, while it has failed to act as "an agent of social change and a force toward implementing the ideals of society." [32] All of the demands for change have come from outside the educational sphere, from groups such as the NAACP, which have spearheaded every major desegregation case since *Brown*. Education, which traditionally served as a vehicle of upward mobility for

discussion of racism in education, see Robert L. Green, "Racism in American Education," *Phi Delta Kappan* 53 (1972): 274-76; Robert L. Green et al., "The Sociology of Multiracial Schools," *Inequality in Education*, no. 9, August 3, 1971 (Center for law and Education Harvard University), pp. 25-27; Robert L. Green, ed., *Racial Crisis in American Education* (Chicago: Follett Educational Corp., 1969).

30. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 2644.

31. Daniel P. Moynihan, "Text of Memo to President Nixon," *New York Times*, 1 March 1970, p. 69.

32. Robert J. Havighurst and Bernice L. Neugarten, *Society and Education* (Boston: Allyn & Bacon, 1962), p. 274.

immigrant groups, has not served the best interests of the black community. The Kerner commission noted that U.S. schools have "failed to provide the educational experience which could help overcome the effects of discrimination and deprivation."[33] Clark has observed:

> The public schools . . . are beginning to betray the purpose for which they were founded: to give each child an equal chance to education and to serve as an impetus for progress of the poor and neglected into the circle of democratic opportunity. Instead, the public schools are becoming an instrument for the perpetuation—and strengthening—of class and caste, while the elite cluster in their safe suburban schools or in the exclusive private schools.[34]

It is not too late to change America's course, but past inactions dictate that white society now employ new—and possibly unpopular—tools to realize the goal of equality for all. Cross-district busing is one such tool that is necessary because Americans in the public and private sectors have failed to live up to the promise of better housing for all on a nonsegregated basis; because the white majority has contained blacks in the central cities while seeking the "better life" in the suburbs; and because whites have mouthed a belief in racial equality without translating that belief into actions.

It is estimated that by 1985, 71 percent of the U.S. population will live in metropolitan areas.[35] Eleven major cities now have black populations of 40 percent or more and four have black majorities.[36] America has become a nation of black communities surrounded by ever growing white communities. Louis R. Lucas, chief NAACP attorney in both the Detroit and Richmond school desegregation cases, points out that the issue in these court tests is "are we going to have another South Africa in this country—are we going to be another nation of apartheid?"[37] It is clear that unless we find the

33. *Report of the National Advisory Commission on Civil Disorders*, pp. 424-25.

34. Kenneth Clark, *Dark Ghetto* (New York: Harper & Row 1965), pp. 151-52.

35. National Commission on Urban Problems, *Building the American City* (New York: Frederick A. Praeger, 1969), p. 42.

36. Seidman, "Introduction," in Gentry, *Urban Education*, p. 2.

37. Ben A. Franklin, "Rights Lawyers Hail Richmond Decision," *New York Times*, 13 January 1972, p. 32.

answer to this question soon, we will find ourselves in a position in which we can do little about the problems of urban America, in general, or urban education, in particular.

The decision by Judge Roth in September 1971 finding the Detroit school system, the fourth largest in the nation, guilty of segregation and his subsequent order on metropolitan busing represent necessary and straightforward approaches to meeting the realities of metropolitan America. The Detroit court order is the largest desegregation order ever issued in either the North or South, and it is the first metropolitan consolidation ordered where a dual school system specifically imposed by law did not previously exist.[38] With the Roth decision, we have an opportunity to begin to move away from prevailing apartheid policies in education and toward building a truly multiracial society.

By uniting fifty-two of the more than ninety predominately all-white suburban school districts with the majority-black Detroit system, Judge Roth took a courageous stand against those people who wish to see the core cities of America become virtual prisons encapsulating blacks, while white children continue to be imprisoned in equally impenetrable suburban "ghettoes" and miseducated about racial and social issues in America.

PUBLIC REACTION TO THE ROTH DECISION

As might have been expected, the Detroit-area white community is strongly opposed to the desegregation plan approved by Roth, even though every effort has been made to minimize the number of pupils to be reassigned, the number to be bused, the length of the bus rides, and the cost of transportation for the school system.[39] Under the plan, Detroit is scheduled to be joined with fifty-two suburban districts. This area will then be divided into sixteen clusters,

38. On January 5, 1972, Federal District Court Judge Robert R. Merhige ruled in the case of *Bradley* v. *School Board of the City of Richmond, Va.* Judge Merhige's order called for consolidation of Richmond schools with those of the surrounding Henrico and Chesterfield counties. Like most southern school systems, the Richmond school system was officially a dual system before 1954. The Merhige decision was overturned by the circuit court of appeals and is now on appeal to the Supreme Court.

39. *Bradley* v. *Milliken*, U.S. District Court (E.D. Michigan), Civil Action 35257, June 14, 1972, "Ruling on Desegregation Area and Order for Development of Plan of Desegregation."

each cluster consisting of from three to five suburban areas and one or two former Detroit high school attendance zones. Of the sixteen clusters, eleven will have black enrollments of 23–28 percent.[40] During a one-year interim period approved by the court, desegregation will take place only in a few of the cluster areas and no formal district consolidation will take place until final desegregation takes place. It is estimated that under the final plan, 37 percent of the 780,000 students in the fifty-three districts will be bused a maximum one-way trip time of forty-five minutes. This is only 88,000 more than the 202,000 students in the desegregation area who are already being bused to school.[41]

Adverse public reaction to the Detroit plan must be confronted if progress is to be made in desegregating Detroit-area schools and eventually schools throughout urban America. "Many who have been themselves damaged by past patterns of racial segregation will continue to resist the demands of the present."[42] This is true for both blacks and whites, although a Detroit newspaper survey showed that half the city's black population favors metropolitan busing if it will improve the quality of education for their children, while the white population overwhelmingly opposes the plan.[43] The courts, however, have long held that "private and public opinion as to the desirability of desegregation in the community" provides no legal basis for delaying the prompt admission of children into public schools on an equal basis and without regard to race or color.[44] Goff, as an assistant commissioner in the U.S. Department of Health, Education, and Welfare, observed:

> Psychologically, the major deterrent to successful integration is the emotional influence of adults. They utilize residuals of their own child-

40. John W. Porter, *Recommendations Regarding the Financial, Administrative, and Governmental, and Contractual Arrangements for Operating the Public Schools in the Desegregation Area during the Period of Interim Desegregation,* Michigan Department of Education, July 28, 1972.

41. "Additional 88,000 Face Bus," *Detroit Free Press,* 7 August 1972, p. 3A.

42. Clark, *Dark Ghetto,* p. 115.

43. Phyllis Myers, "From Auto City to School Bus City," *City* 6 (Summer 1972): 37.

44. *Jackson* v. *Rawdon,* 235 F 2d 93, 96 (5th Circuit, 1956).

hood training as well as current emotional needs in making decisions on the school question, and they refuse to come to grips with a conflicting morality whose only end is social regression. The projection of a heritage of immaturity means continuing conflict in succeeding generations.[45]

From a practical standpoint, the prolonged debate over school desegregation in Detroit can only be detrimental to the future success of the plan. Previous experience has shown that given time the segregationist elements in a community will unite and grow stronger in their opposition.[46]

The current furor over metropolitan busing in itself is ironic in light of the origin of the Detroit court battle. The NAACP only became interested in Detroit after a very limited and entirely token integration plan was blocked by the state legislature in 1970. The plan involved only 9,000 high school students out of the 300,000 public school students in the city and was the first plan to involve movement of both blacks and whites to new schools to achieve greater racial balance. The desegregation plan had been tacked onto a decentralization plan approved by the Detroit school board in response to a state legislative mandate. When public opposition to desegregation became great, the legislature passed a law to prevent its implementation. Eventually, the school board members who had supported the plan were recalled and the progressive superintendent of schools resigned. After the recall election, school officials, including the school board attorney, traveled secretly to New York to urge the NAACP to file a suit against the state for passing the law blocking the token desegregation plan.[47] Only after the NAACP decided to file suit against the school board and the state, alleging de jure segregation, did school officials begin to fight the charges. Initial public opposition to token desegregation and limited busing resulted in the current furor over metropolitan busing in Detroit.

45. Regina Goff, "Quality Education: New Guidelines," in Green, *Racial Crisis in American Education*, p. 223.

46. Irwin Katz, "Problems and Directions for Research in Public School Desegregation," in *Research Conference on Racial Desegregation and Integration in Public Education* (New York: Ferkouf Graduate School of Education, Yeshiva University, 1965), p. 11.

47. William Grant, "How Secret New York Trip Began School Suit," *Detroit Free Press*, 20 September 1971, p. 1A.

A METROPOLITAN PLAN FOR DETROIT

When the Roth court order is implemented, Detroit will become the first big-city school system to fully desegregate,[48] and resegregation of the schools as a result of residential shifts will be a near impossibility. The white flight to the suburbs as a strategy to avoid multiracial schools loses its effectiveness under a metropolitan plan. The difficulty in desegregating large-city school systems was recognized in 1967 by the U.S. Commission on Civil Rights, which cited Detroit as one city in which "the Negro elementary enrollment is already so great that it is impossible even theoretically to eliminate majority-Negro schools without the cooperation of the suburbs." [49] The experiences in Washington, D.C., and Baltimore, Maryland, illustrate the difficulty of achieving desegregation when the suburbs remain places of refuge for fleeing whites. In both of these cities, the schools quickly became resegregated when massive outmigration followed implementation of desegregation plans.[50]

The Roth plan recognizes the interdependence of city and suburbs in the total metropolitan Detroit area. In their recent study of the fiscal crisis in Detroit, Michigan State University economists Taylor and Willits called the relationship between Detroit and its suburbs "a miscarriage of urban growth." They wrote that "the entire Detroit area consists of a single integrated unit, the general welfare of which is inextricably bound together by ties of commerce, industry, recreation, and social intercourse. And since political boundaries do not conform to economic and social realities,

48. The three largest school districts are New York, Los Angeles, and Chicago. New York has never had an integration plan. Los Angeles was ordered by a state court in 1970 to integrate its schools. A plan has not been implemented, and the decision is still on appeal. The judge who handed down the original decision was not reelected. Chicago was threatened with withdrawal of $30 million in federal aid in 1965 if it did not desegregate its schools. But Mayor Richard Daley met with then President Lyndon B. Johnson and the threat was withdrawn. "Integration in 10 of the Largest U.S. Systems," *Detroit Free Press*, 18 July 1972, p. 10A.

49. U.S. Commission on Civil Rights, *Racial Isolation*, p. 146.

50. Robert A. Dentler, Bernard Mackler, and Mary E. Washauer, eds., *The Urban R's: Race Relations as the Program in Urban Education* (New York: Frederick A. Praeger 1967), p. 15.

there cannot be a fundamental resolution of the problems of the core city unless they are approached on an area-wide basis." [51]

It is a well-recognized fact that many of the suburbs actually stand to benefit financially from a merger with the city system. Although the Detroit school system itself is nearly $40 million in debt, some of the suburbs have comparable school debts. As one journalist wrote, "metropolitan integration could mean financial salvation as well as busing for some suburban school systems." [52]

The ruling by Federal District Court Judge Robert R. Merhige in the Richmond case can apply equally to the Detroit case, that is, the constitutional requirement that blacks and whites have the opportunity to attend schools together transcends the right of local governments to establish arbitrary educational boundaries.[53] The issue is complicated in the latter instance, however, because the Detroit suburbs were not actually defendants in the suit, as were the suburban Richmond counties. The appeal to the circuit court of appeals by the Detroit suburbs contends that the Roth finding of segregation is limited to Detroit and therefore the remedy must lie there since the suburbs "were never proven guilty of anything." [54] Roth and proponents of metropolitan desegregation contend that the state of Michigan, through its constitutional powers to regulate education in the state, has the right to consolidate school districts and therefore the suburbs may be included in the court remedy.

ENDING THE DE FACTO MYTH

Among the most significant aspects of the Detroit decision is the giant step which Judge Roth took toward totally wiping out the very nebulous—and actually meaningless—distinction between de facto and de jure segregation. While the Supreme Court has given

51. Milton Taylor and Richard Willits, *Detroit: Agenda for Fiscal Survival* (East Lansing, Mich.: Institute for Community Development, Michigan State University, 1971), p. 4.

52. William Grant, "Suburban Schools Could Reap Financial Help from Busing," *Detroit Free Press*, 7 August 1972, p. 3A.

53. Ben A. Franklin, "U.S. Judge Orders Schools Merged in Richmond Area," *New York Times*, 11 January 1972, p. 1.

54. Myers, "From Auto City," p. 38.

federal district courts broad powers to deal with cases of de jure segregation, it has never said what can be done in the case of de facto segregation.[55]

If upheld, the Roth decision makes the de facto–de jure argument mute. June Shagaloff, NAACP education director, noted after the Detroit decision was handed down that although Roth did not completely eliminate the de facto–de jure dichotomy, he made clear that "a lot of things which people always called de facto are really de jure." [56] Summing up the Detroit findings, Roth stated:

> The principle causes [of segregation] undeniably have been population movement and housing patterns, but state and local governmental actions, including school board actions, have played a substantial role in promoting segregation. It is, the Court believes, unfortunate that we cannot deal with public school segregation on a no-fault basis, for if racial segregation in our public schools is an evil, then it should make no difference whether we classify it de jure or de facto. Our objective, logically, it seems to us, should be to remedy a condition which we believe needs correction. . . . We need not minimize the effect of actions of federal, state and local governmental offices and agencies, and the actions of loaning institutions and real estate firms, in the establishment and maintenance of segregated residential patterns—which lead to school segregation—to observe that blacks, like other ethnic groups in the past, have tended to separate from the larger group and associate together. The ghetto is at once both a place of confinement and refuge. There is enough blame for everyone to share.[57]

Roth's decision recognizes what observers of the urban scene have known for some time—the distinction between de facto and de jure is an artificial one created by northerners preaching equality while practicing segregation. This "doctrinal logjam" between de facto and de jure has been the northerner's most effective tool to prevent the development of multiracial schools, with the result having been to "legitimize inequality in the name of formal equal pro-

55. The Denver school system was found guilty of de facto segregation. The Denver case, now pending before the Supreme Court, hinges on: (a) the definition of de jure and de facto and the question of is there any real difference between the two; (b) if there is a difference, can court action be ordered in case of de jure; and (c) does proving de jure segregation of some schools in a system allow a desegregation order for the whole system.

56. William Grant, "School Decision May Stretch Over U.S.," *Detroit Free Press*, 4 October 1971, p. 1A.

57. *Bradley* v. *Milliken*, p. 26.

tection." [58] The right of white children to attend their "neighborhood schools" has been upheld, while the right of all children to quality education has been denied in nearly all school districts. This has occurred in spite of the 1954 Supreme Court statement that segregation, de facto or de jure, does irreparable damage to the "hearts and minds" of children,[59] and of the 1967 finding by the U.S. Commission on Civil Rights that segregation "whatever the source" inflicts serious harm on black children.[60] Roth incorporated into his decision the philosophy of men such as Robert L. Carter, president of the National Committee Against Discrimination in Housing, who told a Senate committee in 1970 that there is no difference between northern-style de facto and southern-style de jure segregation, "except the South has been more open and candid in its approach to the question." [61]

Roth's position on the de facto–de jure question represents an example of the kind of leadership needed from the white community if progress is to be made toward desegregating American schools. The necessary steps in building a multiracial society in the North include (a) recognizing that segregated education, regardless of its causes, negatively affects the total society and (b) breaking down the myth of white impotence to correct the effects of so-called de facto segregation.

BLACK MIGRATION PATTERNS

The unwillingness of local, state, and federal officials to face up to the changing racial balance in northern urban communities during the twentieth century has been a crucial factor in fostering school segregation. Certainly, the data presented on the development of Detroit played a key part in Judge Roth's decision that schools in the city were de jure segregated.

As far back as 1869, the state of Michigan had on record a policy of availability of public education without regard to religion, race,

58. Meyer Weinberg, *Race and Place: A Legal History of the Neighborhood School* (Washington, D.C.: U.S. Government Printing Office, 1967), p. 76.

59. Fletcher, *Segregation Case*, p. 74.

60. U.S. Commission on Civil Rights, *Racial Isolation*, p. 193.

61. *U.S. Senate Hearings on Equal Education Opportunity*, p. 2645.

or color, but has taken little action through the years to create a climate for effective enforcement.[62] This was true in major cities throughout the North and West where community leaders failed to offer equal protection and opportunity to black migrants who began pouring in from the South in the decade following 1910. Detroit provides an excellent case study in modern urban development. It is a good example of how a thriving city lost over several decades its white population to the surrounding suburbs and how both new and long-time black residents were systematically segregated from whites in their places of residence, and, therefore, in the schools and other public facilities.

In 1910 the black population of Detroit was 5,700. By 1920 it had increased more than seven times, and by 1930 it was three times as great as in 1920.[63] The black population in 1910 was 1.2 percent of the total city population; in 1920 blacks made up 4.1 percent of the population; and in 1930, 7.7 percent of the total.[64] During this time, the growth rate for the white population was considerably slower. This growth pattern for blacks and whites in Detroit was duplicated in other northern cities such as New York, Chicago, and Philadelphia.[65] Blacks were attracted to the North during this period because of diminishing opportunities in southern agriculture, caused in part by large-scale devastation of the cotton crop by the boll weevil and by increased opportunities in the North in activities related to World War I.[66] The industrialization of southern agriculture and low southern welfare rates also contributed to the black migration north.[67]

62. In *People* v. *Board of Education of Detroit* (1869, 18 Michigan 400), the court ruled that resident children have an equal right to public education without exclusion because of religion, race, or color. Discussed in *Defining Equal Educational Opportunity in Michigan*, November 1971, Michigan Civil Rights Commission, December 12, 1971.

63. A. H. Pascal, *The Economics of Housing Segregation* (Santa Monica, Calif.: Rand Corporation, 1967), p. 21.

64. *Bradley* v. *Milliken*.

65. New York's black population went from 60,666 in 1900 to 327,706 in 1930; Chicago's went from 30,150 blacks to 233,903; and Philadelphia went from 60,613 to 219,599. Meyer Weinberg, "School Integration in American History," in Weinberg, *Learning Together*, p. 7.

66. Taeuber and Taeuber, *Negroes in Cities*, pp. 11-12.

67. Taylor and Willits, *Detroit: Agenda for Fiscal Survival*, p. 3.

Between 1930-1940, Detroit's black population remained fairly stable, increasing from 120,100 to 149,700.[68] However, the boom years of economic growth during and especially after World War II resulted in a tremendous influx of blacks into northern urban centers, including Detroit where several war production plants were located. Between 1940–50 the total population of the Detroit metropolitan area increased 19 percent. The growth rate for the black population in that decade was 65.1 percent compared to 15.6 percent for the white population. For the city of Detroit alone the total population increased 31 percent, but the black population increased by 101.4 percent and the white population by only 5 percent.[69] The decade of the 1950s again witnessed an increase of almost 180,000 in Detroit's nonwhite population,[70] an increase from 16.2 percent to 28.9 percent of the total.[71] By 1970 the black percentage had increased to 43.9 percent. For 1980 some estimates put Detroit's black population as high as 73 percent of the total, if current conditions are sustained.[72] Detroit city officials reportedly were surprised by the 1970 census findings that the migration rates of blacks into Detroit during the 1960s actually surpassed the rate for the previous decade. Farley told a Detroit newspaper: "We thought from earlier census reports that black migration from the South had slowed down, but apparently those estimates were entirely incorrect, and there was a greater out-migration (from the South) than they anticipated.[73]

In addition to black migration from the South to urban centers in the North, the higher black population growth rate as compared to the white growth rate can be attributed to the generally higher birthrate among nonwhite groups[74] and also to a decreasing absolute number of whites in the center city. In 1948 some 1.56 million

68. Pascal, *Economics of Housing Segregation*, p. 21.

69. Grodzins, *Metropolitan Area*, pp. 1-2.

70. Pascal, *Economics of Housing Segregation*, p. 22.

71. *Bradley* v. *Milliken*.

72. Taylor and Willits, *Detroit: Agenda for Fiscal Survival*, p. 2.

73. Michael Madenberg, "Census Finds Black Migration Up," *Detroit Free Press*, 14 March 1971, p. 3-A.

74. National Commission on Urban Problems, "Building the American City," p. 41.

whites lived in Detroit; by 1960 the number dropped to 1.18; and in 1970 only .84 million whites still lived in Detroit. By 1980 it is estimated that the number of white Detroit residents will be only 343,000.[75] For every 27 blacks settling in Detroit every day during the 1960s, 106 whites were leaving, many of them going to the surrounding suburbs.[76] The total population of Detroit has declined about 169,500 per decade since 1950, while the suburban communities have gained 1,978,000 since 1940.[77]

WHITE SUBURBS, BLACK CITY

Taylor and Willits conclude that the Detroit metropolitan area today is experiencing dynamic growth, while the city is "withering on the vine." The suburbs continue to grow, as evidenced by migration statistics for Detroit which show a net migration for city whites in 1950 at minus 80,000, while the figure for nonwhites was plus 20,000.[78] The Detroit metropolitan area is no different from other American metropolitan areas in its growth pattern. Nationally, blacks make up only a very small proportion of the suburban population. Often these figures are exaggerated and misleading, giving the impression that blacks are being allowed to move into formerly all-white suburbs. However, the only significant suburban growth of the black population has taken place in the so-called industrial fringe cities or in suburban communities that are as segregated from white society as the central city.[79] In the Detroit area, suburbs such as Inkster, Ecorse, and River Rouge have substantial black populations. Between 1960 and 1969, the net migration of blacks to suburbs throughout America was only 158,000, compared to nine million whites who made the move to suburbia in this same period.[80] The projections for the future indicate more of the same. The National Commission on Urban Problems reported in 1968:

75. Taylor and Willits, *Detroit: Agenda for Fiscal Survival*, p. 2.

76. Madenberg, "Census Finds Black Migration Up," p. 3A.

77. *Bradley et al.* v. *Milliken.*

78. Taylor and Willits, "Detroit: Agenda for Fiscal Survival," pp. 2-3.

79. Grodzins, *Metropolitan Area*, p. 3.

80. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 266-67.

If the Negroes continue moving into the suburbs at the present rate, their projected number will jump from 2.8 to 6.8 million. But the number of suburban whites will also more than double, from 52 to 106 million. So the additional Negroes will be all but lost in a sea of whites, as their proportional increase will move from only 5 to 6 percent of the total suburban population by 1985.[81]

As white Detroiters have moved to the suburbs seeking better homes and "better neighborhoods," blacks have been trapped in the city, segregated from whites who still reside there. This is in keeping with the earlier discussion of residential segregation by race in cities across America. Robert Weaver in his study of urban America outlined the development of residential segregation in Detroit during the twentieth century:

In Detroit, where the principal race riot of World War II erupted, the Negro population had once moved rather freely in its search for shelter. World War I started the move to limit them, and the process was advanced by the time of Pearl Harbor. Thus, although some of the older Negro residents lived in harmony in many sections of the city, most of colored Detroit was concentrated in one main center, a limited rectangular area called "Paradise Valley." In addition, there were no fewer than a dozen other islands of Negroes, but they were . . . surrounded by white residential areas or industry and commerce. Even when it became obvious that migrant war workers, no less than whites, had to have housing, each proposal for locating facilities for colored residents occasioned a storm of protests. In Detroit . . . there was no large tract of vacant land in the principal Black Belt. In Detroit, there was not even vacant land contiguous to most of the satellite Negro areas within the city limits. Between 1940 and 1944, Detroit built 44,607 housing units for war workers. In the same period, slightly more than 1,400 housing units were demolished. Thus, the net gain was 43,199 units. Only 3,070 of these additional houses were made available to Negroes, and this was not a net gain, since much of the demolition was in the section of the city where colored people were concentrated. The 60,000 Negroes who entered Detroit between 1940 and 1944 moved for the most part into 8,000 old structures, many of which were stores, stables, attics, basements, and other improvised buildings, considered totally uninhabitable in 1940. In addition, many migrants doubled up, moved into one-room apartments, and shared shelter on a double-shift arrangement.[82]

81. National Commission on Urban Problems, "Building the American City," p. 5.

82. Robert C. Weaver, *The Negro Ghetto* (New York: Russell & Russell, 1948), pp. 85-86.

In 1940, 85 percent of Detroit's blacks lived in census tracts with 20 percent or more black residents and about 66 percent were in tracts that were 50 percent or more black. Of a total 19,500 Detroit city blocks, only about 1,900 had at least one black occupant.[83] By 1950, 74.1 percent of blacks lived in census tracts 50–100 percent black.[84]

In an informal study of two central city census tracts randomly selected for review, the writer found data which dramatically illustrate how the white population between 1940 and 1970 abandoned Detroit's core and left it a contained black enclave. Tract 762 in 1940 contained 6,058 people of which 64 or 1 percent were nonwhite. In 1950, tract 762 had 5,891 residents of which 571 or 9.7 percent were nonwhite. By 1960, out of a total tract population of 6,044, 76.8 percent or 4,640 were nonwhite. Finally, in 1970, of 5,750 residents, 90 percent or 5,175 were black. Similarly, tract 763 had a population of 7,318 in 1940, of which 26 or 0.4 percent were nonwhite. By 1950, of 7,292 residents, 433 or 5.9 percent were nonwhite. Between 1950–60, the population in this tract dramatically shifted from white to black, with 4,700 or 71.8 percent of 6,547 residents being nonwhite at the close of the decade. And, in 1970, of 6,141 residents, 5,834 or 95 percent were black.[85]

According to a measure which Taeuber and Farley call the "replacement segregation index," residential segregation in Detroit has been increasing steadily in the last two decades. Taeuber reports that in 1950 the replacement segregation index for Detroit was 21.6; in 1960, 32.9; and in 1970, 37.0.[86] These numbers represent the proportion of the Detroit population, both blacks and whites, that would have to change its place of residence in order for every city block to have a black-white ratio equal to the racial balance of the city taken as a whole.[87] In addition to the central city, blacks in

83. Ibid., p. 115.

84. Davis McIntire, *Residence and Race* (Berkeley: University of California Press, 1960), p. 35.

85. Bureau of the Census, *U.S. Census of Population: 1950*, p. 26; *U.S. Census of Population: 1960* p. 49; *U.S. Census of Population: 1970*, p. 297.

86. Personal correspondence from Karl Taeuber, University of Wisconsin, Department of Sociology, July 26, 1972. Taeuber provided expert testimony in the Detroit desegregation case.

87. Reynolds Farley and Karl Taeuber, "Population Trends and Residential Segregation Since 1960," *Science* 159 (1968): 956.

Detroit have concentrated in areas stretching toward the southwestern and northwestern suburbs. Although some measures of residential segregation in Detroit during the 1950s and early 1960s were initially interpreted as signifying a decline in segregation, it is now generally believed that the increase in so-called mixed areas was actually only a transition stage in the complete change from white to black. As Duncan and Duncan observed: "the 'mixed' areas . . . are transitory . . . non-Negroes will continue to leave the areas and Negroes will continue to enter the areas and with time, the 'mixed' areas will become almost exclusively Negro residential areas. A highly segregated population, expanding under pressure of sheer numbers, can appear 'less segregated' during the expansion phase without any permanent change in residential patterns." [88] The Taeubers also point out that when the nonwhite percentage in a census tract shows a decline, it is usually not because formerly black homes are then occupied by whites, but rather because new housing has been constructed in the area for "whites only." [89]

IMPLICATIONS OF MIGRATION PATTERNS FOR EDUCATION

The public school enrollment of Detroit was necessarily affected by the movement of whites to the suburbs and the continuing migration of blacks to the city. As the black population of Detroit grew, the percentage of blacks in the public schools grew at an even greater rate. While in 1960 the total city black population was 28.9 percent, in 1961 the black enrollment in the public schools was 45.8 percent. Similarly, in 1970, with the black population at 43.9 percent of the total, the black school enrollment was 63.8 percent.[90] Conversely, as Judge Roth noted in his decision, the percentage decline in the number of white students in the Detroit schools from 1961-1970 exceeded the percentage decline in the city's white population over the same period. The percentage increase of black students in Detroit schools between 1968 and 1970 was 4.7 percent, the largest increase recorded for any major northern school district.

88. Otis Dudley Duncan and Beverley Duncan, *The Negro Population of Chicago: A Study of Residential Succession* (Chicago: University of Chicago Press, 1957), pp. 98-99.

89. Taeuber and Taeuber, *Negroes in Cities*, pp. 112-13.

90. *Bradley et al.* v. *Milliken.*

Judge Roth also cited estimates that by 1975–1976, the city school system would be 72 percent black, by 1980–1981 it would be 80.7 percent black, and by 1992 virtually 100 percent black, if current trends continued.[91]

A 1956 study of residential mobility within Detroit revealed that the people most likely to move farther away from the central city toward the outer city and suburbs were married couples, homeowners, and higher-income householders. Those most likely to move closer to or an equal distance from the central city when they change residences were single people, renters, and low-income people.[92] Taylor and Willits observed that "the individuals most likely to leave the city are those who are forming family units and need new housing and those who will have children entering the public school system."[93] In 1970 the median age of the Detroit white population was 36.2 years, but of the nonwhite population it was 24.8 years. Thus, more nonwhites are of childbearing age and are more likely to contribute greater numbers of children to the school system in the city. At the same time, whites with school-age children are leaving or are gone.

WHY DETROIT BECAME SEGREGATED

In reviewing the evolution of residential and educational segregation in Detroit and its suburbs, two questions are raised: Why did these conditions come about and how might they have been avoided? This is the key to the Roth decision. If school segregation in the city came about simply because blacks chose to live apart from whites, we have what the court views as de facto segregation, and, as noted above, the Supreme Court has not yet ruled on the legal remedy available in such cases. However, the case before Judge Roth detailing the history of Detroit and its school system made it very clear that blacks in the city did not voluntarily decide to live in segregated, all-black areas. Rather, Roth accepted as fact that residential segregation in Detroit (and consequently school

91. Ibid.

92. Detroit Area Study, *A Social Profile of Detroit, 1956* (Ann Arbor: University of Michigan, Department of Sociology and the Survey Research Center, Institute of Social Research, 1957), p. 7.

93. Taylor and Willits, *Detroit: Agenda for Fiscal Survival*, p. 4.

segregation) came about through the conscious policies of local, state, and federal officials.[94]

This public policy of residential segregation naturally led to the de jure segregation of Detroit's schools. Roth also cited the Detroit school board for the part it played through the years in promoting school segregation through policies and practices that deliberately built on—rather than negated—segregated housing patterns. This, Roth said, is de jure segregation.

Indeed, the Roth decision is an indictment of government at all levels for failing to live up to the ideals of a democratic society. Roth stated:

> For many years FHA and VA openly advised and advocated the maintenance of 'harmonious' neighborhoods, i.e., racially and economically harmonious. The conditions created continue. While it would be unfair to charge the present defendants with what other governmental officers or agencies have done, it can be said that the actions or the failure to act by the responsible school authorities, both city and state, were linked to that of these other government units. . . . And we note that just as there is an interaction between residential patterns and the racial composition of the schools, so there is a corresponding effect on the residential pattern by the racial composition of the schools.[95]

THE ROLE OF THE FEDERAL GOVERNMENT

The criticism of FHA and VA policies in the Roth decision is viewed by some observers, including this writer, as one of the most significant breakthroughs in the fight to desegregate northern school districts. Following the 1971 decision, NAACP attorney Lucas stated that the evidence used in the Detroit case could well be applied in other cities. Lucas noted: "When some judges find school segregation they try to do it with exceptions and local incidentals. That serves to limit the impact of any one decision. The importance of the Roth case is that he faced the issue frontally. He did not try to argue that Detroit was an exception, but said, that these national policies helped produce segregation."[96]

The information presented to Roth on the role of the federal gov-

94. *Bradley* v. *Milliken*, p. 9.

95. Ibid., pp. 9-10.

96. Grant, "School Decision," p. 1A.

ernment in promoting segregation in northern cities was not new or startling to students of urban development. The National Commission on Urban Problems cited the FHA in 1968 as "a vital factor" in financing and promoting the mass movement of whites from cities to suburbs. The commission also cited federally supported highway programs for having "opened up the areas outside the cities and supported the exodus of a large proportion of the white middle class."[97] In 1966, the Griers described how FHA and VA programs served the "modal" family, the recently married with children already born or expected and willing to bear the obligations of home ownership:

> The federal programs permitted them [blacks] to 'inherit' the cities, along with an assortment of whites who did not meet the conditions for access to the new suburbs: the old, the poor, the physically and mentally handicapped, the single and divorced, together with some persons of wealth and influence who preferred the convenience of living in the central city.[98]

The 1938 FHA *Underwriting Manual* explicitly states the philosophy of the federal government regarding multiracial communities. It warned FHA agents to make sure that any insured property was protected from "adverse influences," including "infiltration of business and industrial uses, lower-class occupancy, and inharmonious racial groups."[99] The FHA further warned its appraisers that in the case of sparsely developed areas, i.e., suburbs, to insure that "effective restrictive covenants are recorded against the entire tract, since these provide the surest protection against undesirable encroachment and inharmonious use."[100] Appraisers were told to lower valuations of properties in multiracial neighborhoods and some developers who insisted on open occupancy were actually driven out of business.

97. National Commission on Urban Problems, *Building the American City*, p. 99.

98. Eunice Grier and George Grier, "Equality and Beyond: Housing Segregation in the Great Society," in *Urban Planning and Social Policy* ed. Bernard J. Frieden and Robert Morris (New York: Basic Books, 1968), p. 119.

99. U.S. Federal Housing Administration, *Underwriting Manual* (Washington, D.C.: U.S. Gov't. Printing Office, 1938), par. 935.

100. Ibid., par. 980.

The policy was to encourage private enterprise to meet the post-World War II housing shortage through the development of suburban housing. As a result of this decision to let private enterprise do the job, new housing was built outside the cities primarily for those who could afford to pay the full economic price. The Griers note that private enterprise "selectively operated to reinforce existing trends which concentrated low-income families in the cities." [101] Harrington, in discussing the possible role of private enterprise in abolishing slums, observed. "It is one of the great postwar scandals that lavish, but discreet, subsidies have been provided for the homes of the middle class and the rich in the form of cheap, federally guaranteed credit, income tax deductions, and other genteel doles which effectively exclude everyone with incomes of less than $8,000 from the benefits." [102]

In addition to effectively keeping blacks out of developing white suburbs, FHA generally withheld assistance from existing housing in central cities through a practice called "red-lining." According to Romney, "red-lining" involved "an unwritten but well-understood agreement between financial institutions and FHA that many central city neighborhoods occupied largely by minority groups had an unfavorable economic future." [103] When FHA and VA programs did insure older homes in the cities, the terms provided were much less favorable than for new suburban homes. Older homes required larger down payments, shorter repayment periods, and large monthly payments. In this way, the federal government actually forced whites to move into the suburbs, as it forced blacks to remain in the cities.[104]

These policies continued and still continue. Rutledge, executive director of the National Committee Against Discrimination in Housing, told a senate committee about FHA's failure to change policies or even to enforce those that had been modified.[105] Rom-

101. Grier and Grier, "Equality and Beyond," p. 127.

102. Michael Harrington, "Can Private Industry Abolish Slums?" *Dissent*, January-February, 1968, p. 5.

103. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 2755.

104. Grier and Grier, "*Equality and Beyond*," p. 129.

105. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 2678.

ney told the same senate committee that FHA policy changes have had "little practical effect" on changing the pattern of residential segregation in metropolitan areas.[106]

Federal policies on public housing also served to separate blacks from whites in the cities. Public housing programs have operated in such a way that they have kept low-income whites apart from blacks. Even during World War II when blacks were desperately needed to work in war production plants, the federal government gave in to whites who wanted to keep public housing for black workers far away from white neighborhoods.[107] In Detroit, the Seven Mile–Fenelon Improvement Association organized opposition to admitting blacks to the Sojourner Truth Housing Project and this eventually precipitated the race riot of February 1942.[108]

Since the 1930s, public housing projects have been occupied on a segregated basis. Because admission to the projects was based on a maximum income criterion, the majority of the people who could qualify were black.[109] For a family of four, the maximum income requirement in 1967 was $4,300.[110] Since low-income blacks outnumber whites proportionately, they are the likely—although often unwilling—candidates for public housing. Federal reports in 1962 indicated that 80 percent of all public housing projects receiving a federal subsidy were either all black or all white.[111] In 1970, Secretary Romney stated that the bulk of all public housing units were segregated. He said that 43.2 percent of the units were 50 percent or more black and 30 percent were all black.[112] Because public housing programs have had a lower priority than FHA and VA mortgage programs, many blacks have been denied decent housing even on a segregated basis. The Kerner commission found that in the

106. Ibid., p. 2756.

107. Herman H. Long and Charles S. Johnson, *People v. Property: Race Restrictive Covenants in Housing* (Nashville, Tenn.: Fisk University Press, 1947), p. 6.

108. Ibid., p. 42.

109. Grier and Grier, "Equality and Beyond," p. 129.

110. National Commission on Urban Problems, "Building the American City," p. 132.

111. Grier and Grier, "Equality and Beyond," p. 138.

112. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 2789.

history of public housing in America only 800,000 units had been constructed, whereas under FHA, over ten million middle- and upper-income homes had been built under the mortgage guarantee program.[113] Urban renewal programs have become "black removal" programs and have served to limit even further the housing options open to blacks. The implications of these findings for the education of black children was well expressed by Silberman who wrote that "while good housing doesn't guarantee good behavior, bad housing does contribute to family disorganization and hence to delinquency." [114]

REALTORS, BANKERS, LOCAL AND STATE GOVERNMENT

Although the previous discussion may lead one to think that income alone has kept blacks from occupying homes in white areas, this decidedly has not been the case. Bankers, real estate boards, and suburban zoning boards all worked together in the city and suburbs of Detroit to create residential segregation. Even today, low-income blacks live side by side with middle- and upper-income blacks because white neighborhoods remain closed. This is contrary to the tendency found in the white community for people of the same economic level to live together. Judge Roth cited institutions which have promoted segregation in Detroit: "Governmental actions and inaction at all levels, federal, state and local, have combined with those of private organizations, such as loaning institutions and real estate associations and brokerage firms, to establish and to maintain the pattern of residential segregation throughout the Detroit metropolitan area." [115]

Real estate agents, many of whom eventually found their way into high positions in FHA, have been responsible in large part for creating segregated housing patterns throughout the nation. It is well known that many real estate boards have urged their members not to violate "neighborhood integrity" by selling to blacks in

113. *Report of the National Advisory Commission on Civil Disorders*, p. 474.

114. Charles E. Silberman, "The City and the Negro," in A. Harry Passow, Miriam Goldberg, and Abraham Tannenbaum, eds., *Education and the Disadvantaged* (New York: Holt, Rinehart & Winston, 1967), p. 17.

115. *Bradley* v. *Milliken*, p. 9.

white areas. These boards have been known to impose harsh sanctions against members who violate this rule.[116] Conditions in Detroit after World War II were favorable to the development of real estate practices based on neighborhood exclusiveness. The Taeubers point out: "If population is increasing and housing is in short supply . . . real estate agents will generally have little difficulty in marketing housing and will suffer little economic disadvantage by discriminating among potential buyers or renters in any way they or their customers wish.[117]

Banks have supported realtors in their policy of restricting black housing options by refusing to grant credit to blacks seeking to buy homes in mixed or white neighborhoods. Several years ago the president of the Washington, D.C., mortgage bankers association told the district's board of commissioners that "applications from minority groups are not generally considered in areas that are not recognized as being racially mixed," i.e., the white suburbs.[118] Similarly, suburban governmental units work to limit housing opportunities for blacks through use of large-lot requirements, zoning ordinances which view low- and middle-income housing developments as "businesses," and by purchasing all vacant land suitable for subdivision and then reselling it to "acceptable" developers. The National Commission on Urban Problems noted in 1968 that the federal government has exercised little authority over suburban communities to insure a "decent, safe, and sanitary shelter" for all citizens. The commission stated that the "federal programs *often reward* suburban communities which are 'zoning out' the moderate-income buyer. The suburban communities, for instance, receive planning money to assist them in drawing up discriminatory general plans to do the job." [119]

The state of Michigan's role in promoting school segregation in Detroit, according to Judge Roth, has included specific actions as well as the responsibility imposed by the state's general powers to

116. Bonnie Bullough, *Social-Psychological Barriers to Housing Desegregation* (Los Angeles: Reports of the University of California, 1969), p. 10.

117. Taeuber and Taeuber, *Negroes in Cities*, p. 26.

118. Grier and Grier, "Equality and Beyond," p. 131.

119. National Commission on Urban Problems, "Building the American City," p. 118.

regulate education in Michigan. Roth specifically cited the state legislature's failure to authorize or appropriate funds for pupil transportation within Detroit until 1971, while neighboring suburban areas had been receiving state funds for transportation. In addition, Roth criticized the state aid formula and bonding programs for allowing many suburban school districts to spend more per pupil than Detroit while taxing citizens less. He said that these state programs have "created and perpetuated systematic educational inequalities."[120] Between 1967–1970, Detroit taxed its citizens for education at a rate equal to the statewide average. In addition, the city school system received large amounts of federal aid for education. Yet Detroit's per pupil expenditure during this time was $111 below the state average.[121] Roth's finding in Detroit was not unique or limited to that city. We have known for some time now that in terms of per pupil spending, city schools are far below suburban schools. A 1962 Syracuse University study of thirty-five metropolitan areas showed that central city school districts spent an average of $145 less per pupil than neighboring suburbs, and that suburbs receive an average of $40 more per pupil in state aid than the cities.[122]

SCHOOL BOARD ACTIONS

At the heart of any school desegregation case are the actions of the defendant school board to promote segregated schools. In the South, it was usually a question of showing how a school board deliberately acted to create segregation. The northern school case, however, involves both action and inaction. The Detroit case clearly illustrates the failure of the educational establishment to respond positively to the legal mandate to provide multiracial education. A statement by Judge Damon Keith in the now well-known Pontiac school case applies equally to the Detroit situation:

> When the power to act is available, failure to take the necessary steps so as to negate or alleviate a situation which is harmful is as wrong

120. *Bradley* v. *Milliken*, p. 14.

121. Myers, "From Auto City," p. 39.

122. S. M. Miller and Pamela Roby, "Education and Redistribution: The Limits of a Strategy," in Green, *Racial Crisis in American Education*, p. 47.

as to the taking of affirmative steps to advance the situation. Sins of omission can be as serious as sins of commission: Where a Board of Education has contributed and played a major role in the development and growth of a segregated situation, the Board is guilty of de jure segregation.[123]

School authorities in Detroit indeed abdicated their roles as leaders in the fight to bring equality of educational opportunity to all people. They contributed systematically to making Detroit's schools a dead-end road for a large segment of the total city population. They bowed to community sentiment in reinforcing segregated residential patterns imposed by other segments of society. This writer agrees completely with Bouma and Hoffman when they state:

> To argue that desegregation of the school will come when residential desegregation occurs, in effect is to argue for doing nothing in the foreseeable future. To claim that schools did not bring about the problem of racial imbalance and hence need not do anything about it, is to forget that the school has always had the responsibility for doing for the child what the neighborhood and family could not or would not do.[124]

In his decision Roth made it very clear that school boards do not act in a vacuum and their actions are not neutral. In effect, he said that the failure to "adopt and implement pupil assignment practices and policies that compensate for and avoid incorporation into the school system the effects of residential racial segregation" [125] is de jure segregation. Significantly, Roth also criticized the state of Michigan for failing to fulfill its "affirmative obligation" to uphold the Fourteenth Amendment through its general supervisory powers over education.

The case for de jure segregation in Detroit schools becomes most clear and concrete in the realm of specific school board actions. In fact, it is questionable whether Roth would have made a ruling of de jure segregation in the absence of these feelings by the court. Certainly the case is much stronger because Roth found the system guilty of the following practices:

123. Michigan Civil Rights Commission, *Defining Equal Educational Opportunity*, p. 4.

124. Bouma and Hoffman, *Dynamics of School Integration*, p. 58.

125. *Bradley* v. *Milliken*, p. 24.

> The board has created and altered attendance zones, maintained and altered grade structures and created and altered feeder school patterns in a manner which has had the natural, probable and actual effect of continuing black and white pupils in racially segregated schools. . . . Throughout the last decade (and presently) school attendance zones of opposite racial composition have been separated by north-south boundary lines, despite the Board's awareness (since at least 1962) that drawing boundaries in an east-west direction would result in significant integration. . . . There has never been a feeder pattern or zoning change which placed a predominantly white residential area into a predominantly black school zone or feeder pattern.[126]

Just as the federal government's role in promoting residential segregation has been known for some time, the actions and policies of the Detroit school board to promote school segregation have been out in the open for many years. At hearings held in Detroit in 1960 by the U.S. Civil Rights Commission, school board member Remus Robinson said the board was drawing its boundaries to "contain" blacks in certain areas and schools:

> The Center District, largest of our administrative districts, has some 50,000 children in it. It is greatly overcrowded and most of the children are Negro. During the last 2 years, some 8 schools in transition areas which have become largely Negro have been added to the Center District. The children of this district attend Central, Northwestern and Northern High Schools which for practical purposes are more than 99 percent Negro. The development of the so-called East District has caused great concern in the community. It appears to some that an effort is being made to contain Negro children within certain boundaries and certain schools.[127]

At the same hearing, a representative of the Citizens' Association for Better Schools told how the 1959 Citizens' Advisory Group recommendation to keep elementary school enrollments between 600-800 pupils was followed in white areas but completely ignored in black areas. In the black areas, school populations far exceeded this number and new schools were being built with capacities above 800.[128] In 1960, 23.4 percent of the total Detroit elementary school population lived in the predominately black Center District, but

126. Ibid., p. 11.

127. U.S. Commission on Civil Rights, *Hearing Held in Detroit, Michigan, December 14-15, 1960* (Washington, D.C.: U.S. Government Printing Office, 1961), p. 138.

128. Ibid., p. 135.

only 12.7 percent of the city's elementary schools were located there.[129] Instead of altering attendance zones to relieve overcrowded classrooms in the Center District, blacks were "contained" and not allowed to attend surrounding white schools. Containment of blacks in separate districts in Detroit has not been limited to the twentieth century. In 1869 the Michigan Supreme Court struck down a twenty-eight-year-old practice whereby blacks in Detroit were organized in a "district having no metes and bounds, but composed of all the colored children in the city, within the school ages." While no explicit policy called for containing blacks after this legal decision, over the years the practices of school officials continued to facilitate containment of blacks as the racial balance of Detroit changed.[130]

It is no accident that 65.8 percent of Detroit's black students attended schools in 1960 that were 90 percent or more black, and in 1970, 74.9 percent were in such schools.[131] Ravitz, Wayne State University professor of sociology and member of the Detroit Common Council, discussed the city's failure to desegregate its schools and described the attitude of the city's 1959 Equal Educational Opportunities Committee on which he served.

> There was no outright, bold attempt to end all school segregation in the Detroit system. Many committee members believed that the schools could and should go only so far in challenging segregation of neighborhoods by desegregating the schools. They believed that any forthright attempt to desegregate the whole school system would face vigorous reaction both from those who opposed desegregation per se, and from those who favored desegregation but who believed that in a segregated community wholesale school desegregation would only be achieved at great educational sacrifice to both Negro and white children.[132]

Between 1959–71, thirteen primary schools, with capacities limited to between 300 and 400 pupils, were built in Detroit. Construc-

129. Ibid., p. 144.

130. Weinberg, *Race and Place*, p. 4.

131. *Bradley* v. *Milliken*.

132. Mel Ravitz, "Uneven School Progress in Detroit" in Weinberg, *Learning Together*, p. 61.

tion of such small schools limited opportunities to overcome residentially segregated patterns. In 1966, a joint policy statement was issued by the State Department of Education and the Michigan Civil Rights Commission requiring local school boards to consider racial balance in selecting new school sites and expanding existing schools. In spite of this, school construction has continued to serve the segregation process in Detroit. Of the fourteen schools opening in 1970–71 for the first time or with expanded facilities, eleven were over 90 percent black and one was over 90 percent white.[133]

THE FAILURE OF OPEN HOUSING LAWS

The experience in Detroit makes it clear that legislation and policy statements designed to promote a multiracial society are meaningless without strong moral and material commitments to enforce the laws. Despite the apparent growing chasm between races in America, whites in this law-and-order-conscious society have failed to make that necessary commitment to change at all levels of government and in the private sector.

Following the summer of civil disorders, America voiced such a commitment through the passage of the federal open housing law. State and local governments followed suit with their own fair-housing legislation. It was believed that if blacks and whites could be brought together in their neighborhoods, America could finally hope to create a society based on equal opportunity for all. Regrettably, open occupancy has proved a most ineffective strategy, and in 1967 the U.S. Commission on Civil Rights accurately predicted that it would fail because "it is unlikely that such legislation will be fully effective for years. To make integrated education dependent upon housing is to consign at least another generation of children to racially isolated schools and to lengthen the time that will be required to overcome housing discrimination." [134]

The Census Bureau released a report in February 1971 which showed the movement of some blacks into the suburbs of the nation's metropolitan areas. According to the report, despite the increase in the number of suburban blacks, no significant changes

133. *Bradley* v. *Milliken.*

134. U.S. Commission on Civil Rights, *Racial Isolation*, p. 195.

were made in the segregated housing patterns in these areas and, in general, the increase was far overshadowed by the growing concentrations of blacks in central cities.[135] Reynolds Farley speculated that the increase in suburban blacks could actually prove meaningless in terms of total housing patterns because, as later census reports might realistically show, these blacks are living in segregated suburban enclaves. Detroit, unlike the other major metropolitan areas, did not experience even a small percentage increase in suburban blacks between 1960 and 1970. The suburban population of Detroit declined from 3.7 percent of 3.6 percent black in the last decade.[136]

Rutledge of the National Committee Against Discrimination in Housing told a senate committee that of the nation's 1,800 fair housing committees in thirty states, "most have had very little impact in terms of breaking down the real barriers of the white suburbs."[137] In Michigan, officials of the state Civil Rights Commission have stated publicly that the state open housing law passed in 1968 has been ineffective in opening up the Detroit suburbs and white areas of the city. Commission officials have said that the limited movement of blacks into white areas in Detroit has only been the result of an expanding black population coupled with the white flight to suburbia.[138] A recent news account reported that officials of the Detroit Commission on Community Relations said Detroit is as segregated in 1972 as it was in 1967 and that only 6,000 of about 200,000 new suburban homes had been made available to blacks.[139] In August 1972 fifteen Detroit-area real estate firms were accused of "blockbusting," or trying to scare whites out of Detroit with threats of black invasion of their neighborhoods. The firms were also accused of preventing blacks from buying homes in the

135. Philip Meyer, "Suburbs Stay Mostly White, Census Finds," *Detroit Free Press*, 11 February 1971, p. 4A.

136. Ibid., p. 4A.

137. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 2667.

138. William Serrin, "Open Housing Law Is Doing Little Good," *Detroit Free Press*, 24 July 1972, p. 1A.

139. John Oppendahl and George Cantor, "What Has Been Done Since the Riot?," *Detroit Free Press*, 24 July 1972, p. 1A.

white suburbs.[140] There is evidence that this type of activity to promote additional segregation has been going on in Detroit and in other U. S. cities since the fair housing laws were passed. Blockbusting could not be effective unless the white community as a whole fully accepted the notion of racial restriction in housing and residential segregation.

Enforcement of the open housing law has also proven ineffective on the federal level. A 1971 report on the federal civil rights enforcement program stated that the HUD staff is "grossly inadequate" to deal with the complaints it receives on housing discrimination.[141] According to this Civil Rights Commission report, only forty-two people were employed to handle all complaints under the federal fair housing law, with each complaint taking between five and six months to process and often up to a year to completely clear up. The report maintained that this long time span between investigation and remedial action "decreases the chances of a successful conciliation."[142] In 1970 only $6 million was appropriated for enforcement of the federal law.[143]

In a 1969 study of whites in the Detroit area, 82 percent of those interviewed said they would vote for a law providing that "a homeowner can decide for himself who to sell his house to, even if he prefers not to sell to Negroes." Only 16 percent of the sample said they would vote for an open occupancy law stipulating "a homeowner cannot refuse to sell to someone because of their race or color."[144] A 1968 study found that 51 percent of a white sample opposed legislation to guarantee open housing without regard to race or color.[145] Studies have shown that most whites will accept a

140. Howard Kohn, "15 Real Estate Firms Accused of Blockbusting," *Detroit Free Press*, 17 August 1972, p. 3A.

141. U.S. Commission on Civil Rights, *The Federal Civil Rights Enforcement Effort: One Year Later* (Washington, D.C.: U.S. Government Printing Office, 1971), p. 41.

142. Ibid., p. 43.

143. *U.S. Senate Hearings on Equal Educational Opportunity*, p. 2650.

144. Robert Brannan and Howard Schuman, "Attitude and Action: A Field Experiment in a Natural Population," (Unpublished paper presented at the American Sociological Association, New Orleans, La., August 1972), p. 4.

145. Angus Campbell, *White Attitudes toward Black People* (Ann Arbor, Mich.: Institute for Social Research, University of Michigan, 1971), p. 23.

small percentage of blacks in their neighborhoods, but they are opposed to great numbers of blacks moving in.[146] Schuman, University of Michigan sociologist, observed that while whites will endorse the principle of nondiscrimination in jobs and even in housing, they will easily depart from this principle when it conflicts with values to which they attach a higher priority.[147]

The open housing approach to ending residential and thereby school segregation has failed because it has been directed at symptoms rather than at root causes. Laws have not been enforced so they have done little to change attitudes, and attitudes cause men to act to promote a segregated society. That is why this writer is committed to the concept of multiracial education, whether it be through metropolitan busing as has been recommended in Detroit or through any other *effective* tool available to us today. Waiting for open housing to work has proved tantamount to doing absolutely nothing about school segregation and has allowed the racial crisis in America to worsen.

CHANGING RACIAL ATTITUDES

National pollster Louis Harris concluded as a result of surveys done in 1963 and 1968 that "there has been only minor change in the attitudes of white people in this country toward Negroes. . . ." [148] Harris's conclusion is borne out by other studies of race relations in America and by simple observation of the racial situation in the nation today. The schools have been the only arena in which the potential existed to change racial attitudes on a broad scale, but we have failed to equip them to do this job. We have failed to do this in spite of the plentiful evidence that multiracial education affects children in such a way as to prepare both blacks and whites for life in a truly multiracial society.

Thomas Pettigrew summarized the results of the 1966 study of American racial attitudes and behaviors done by the National Opinion Research Corporation (NORC). Pettigrew concluded that (a)

146. Robert A. Levine, "The Silent Majority: Neither Simple nor Simple-Minded," *Public Opinion Quarterly* 35 (1971-72): 571-77.

147. Howard Schuman, "Attitudes vs. Action versus Attitude vs. Attitudes," *Public Opinion Quarterly* 36 (May, 1972): 11.

148. Weinberg, *Desegregation Research*, p. 331.

desegregated education increases the probability that whites will continue to have contact with blacks; (b) desegregated education increases the probability that whites will express more positive attitudes toward contact with blacks and the rights of black Americans; and (c) interracial contacts in childhood can be expected to lead to later contacts as adults and will foster more favorable attitudes toward interracial contact.[149]

The NORC study found that desegregated whites were more likely to have had a close black friend, to have had black friends visit their homes, and to be living in multiracial neighborhoods. It is believed that having had a close black friend relates directly to choice of residence in a multiracial area. This is also true for blacks. In addition, it can be assumed that friendships between blacks and whites will generalize to produce more positive relationships in the employment and business spheres. For example, the white banker who has or has had a close black friend should prove more willing to offer jobs to and approve loans for minority applicants.

> Past contact with whites is a substitute for present contact in breaking down Negro desires to avoid whites. This implies that even if segregation in other aspects of American society is unchanged, an increase in school integration will in itself increase the willingness of Negroes to associate with whites.[150]

The results of a 1965 Oakland, California study were consistent with the NORC findings: blacks who attended desegregated schools are more willing to support multiracial education than those who attended segregated schools; blacks who attended desegregated schools are more willing to live in multiracial neighborhoods and are more likley to have white friends; and, finally, blacks who attended desegregated schools are generally less suspicious of whites and are more relaxed in a multiracial setting than blacks who attended segregated schools.[151] In this study 70 percent of the high school graduates who attended desegregated schools said they would deliberately try to find housing in a multiracial neighborhood as compared with 50 percent of those who attended segre-

149. Ibid., p. 311-13.

150. Ibid., p. 309.

151. Ibid., p. 312.

gated schools.[153] One significant observation of the desegregation program in Riverside, California, has been that some blacks are already moving to the neighborhoods to which their children are bused to school and a few junior high school "rap" sessions "reveal some evidence of social relationships which, of course, would not have occurred without integration."[153] The U.S. Commission on Civil Rights concluded in its extensive study of racial isolation in the schools that multiracial education can lead to greater positive relationships between the races.[154]

Children do not come to schools with minds like blank slates. In the early years children begin to absorb racial attitudes from their environment, but these attitudes are certainly not set in concrete by the time they enter school. Studies have shown that verbally expressed prejudice picked up in the home need not lead to later prejudiced behaviors. Bouma and Hoffman note how the school that is desegregated can work against formation of prejudiced behavior patterns. Bouma and Hoffman have written that "young children who have not yet been involved in prejudiced situations at home and in school may pick up prejudiced talk, but this does not cause them to behave prejudicially. Later, having become involved in prejudiced behavioral patterns, they pick up democratic language patterns in schools or elsewhere, but this does not erase their prejudicial behavior."[155]

Attendance at a segregated school is a "prejudiced behavior" and once engaged in, it seems unlikely that any textbook lesson in American democracy will be able to reverse the behavior pattern. Every time we send a white child to a segregated school we lock him into a behavior pattern that mitigates against the formation of racial harmony and cooperation. Dan Dodson wrote that "what white children are learning in most schools gives the lie to what they are being taught about the value of knowing and respecting all people."[156] Similarly, black children educated in segregated

152. U.S. Commission on Civil Rights, *Racial Isolation*, pp. 111-12.

153. Weinberg, *Race and Place*, pp. 237-38.

154. U.S. Commission on Civil Rights, *Racial Isolation*, p. 114.

155. Bouma and Hoffman, *Dynamics of School Integration*, p. 74.

156. Commission on School Integration, *Public School Segregation and Integration in the North* (New York: National Association of Intergroup Relations Officials, 1963), p. 32.

schools turn their backs on the democratic principles taught to them in school because their own lives prove that these ideals are meaningless.

SEGREGATION AND WHITE SUPERIORITY

Miel and Kiesler, having studied the schools of New Village, a New York suburb, wrote that from the earliest grades, white children are taught to look at blacks as "different, inferior, undesirable, and even violent," [157] and that the suburban child is "largely insulated from any chance introduction to a life different from his own." [158] The authors go on to state that "today's children need more than hard facts to prepare them for life in the 20th and 21st century. They must learn to understand and respect people—not just 'their own kind,' but all kinds. It was in this area of teaching and learning that we frequently found disturbing gaps." [159] They concluded that the public schools have the potential to do more than any other institution to promote racial understanding to break down the myths and prejudices which create racial tension in our society, but they are not using this potential.

The feeling that the children of suburbia are not being educated for life in a world where 75 percent of the population is nonwhite is echoed in the words of a fifty-one-year-old grandmother from St. Clair Shores, Michigan, one of the suburbs included in Judge Roth's metropolitan desegregation order. She said in a newspaper interview: "If youngsters are going to live and work successfully in a world that's getting smaller all the time, they're going to have to be in contact with people who aren't just like themselves." [160] Kenneth Clark, testifying in one of the first desegregation cases decided along with *Brown* in 1954, expressed the viewpoint that segregated schools create guilt feelings and confusion in white children who act as the perpetuators of segregation. He noted that "a conflict . . . is set up in the child who belongs to the segregating

157. Alice Miel with Edwin Kiesler, Jr., *The Shortchanged Children of Suburbia* (New York: Institute of Human Relations Press, American Jewish Committee, 1967), p. 15.

158. Ibid., p. 13.

159. Ibid., p. 55.

160. Jo Thomas, "Busing Debate Rage On—Out of Court," *Detroit Free Press*, 23 July 1972, p. 3A.

group in terms of having the same people teach him democracy, brotherhood, love of his fellow man, and teaching him also to segregate and to discriminate . . . social scientists believe that this sets off in the personalities of these children a fundamental confusion in the entire moral spheres of their lives." [161]

In the Detroit desegregation case, this writer offered similar testimony on the implications of segregated education for white children, noting that segregated whites "grow up with a feeling of superiority . . . [toward] people of color since all they know . . . is what they hear in the homes over dinner, what they might hear whispered at a church social function. . . . The school can overcome this by allowing youngsters to grow up together in a multiracial setting." [162]

SEGREGATION AND BLACK INFERIORITY

If segregated education breeds superiority feelings among whites, it has the very opposite effect on blacks—that is, it gives rise to the notion of black inferiority. The 1954 Supreme Court decision was based in part on the premise that "separate but equal" generates inferiority feelings among blacks "that may affect their hearts and minds in a way unlikely ever to be undone. . . ." [163] This statement has been affirmed by numerous studies of black self-concept and self-esteem. Warren C. Haggstrom found in his 1962 study of blacks in Detroit and Ypsilanti, Michigan, that desegregated blacks have higher self-esteem than segregated blacks and that segregated blacks develop false and exaggerated perceptions of white superiority, which are reinforced by constant social failures in the black community.[164] Jessup found that under segregated conditions, the black child identifies his social potential with his racial status, while in multiracial settings, the black child's self-concept is based on nonracial factors.

161. Fletcher, *Segregation Case*, p. 55.

162. Testimony of Robert L. Green, April 28, 1971, *Bradley et al.* v. *Milliken*, p. 1050.

163. *Brown* v. *Board of Education* quoted in Ronald F. Campbell, Lucy Ann Marx, Raphael O. Nysbrand, eds., *Education and Urban Renaissance* (New York: John Wiley & Sons, 1969), p. 38.

164. Weinberg, *Desegregation Research*, pp. 121-22.

The realization that one can compete and make one's way in the larger society marks a giant step in the reduction of his feeling of alienation from that society. A positive identification with society and the feeling that socially approved goals are obtainable are crucial to the development of the motivation necessary to achievement in school.[165]

Clark has observed that segregated minority group children often adopt defeatist attitudes and experience a lowering of personal ambition. This happens in response to conflicts between self-esteem and their feelings toward their racial group.[166] This conflict is brought on by segregated conditions.

Some recent studies have shown that the "black power" movement has had its effect on black school children, the result being the development of strong racial pride among blacks with a concomitant hatred for "whitey." This writer believes that such group pride, if reinforced in the segregated school setting, can be unhealthy if it is built on exaggeration of the white majority's faults. The multiracial school setting allows children to focus on the positive aspects of all racial groups and fosters the belief that all people are worthy because they are human beings.

While segregated education prevents the development of attitudes in the white community favoring multiracial neighborhoods, it also promotes attitudes in the black community which discourage attempts to establish residence in white areas. According to a study by Bullough, alienation variables, especially "powerlessness" and "anomie" are the most significant "deterrents to integration."[167] Because we know that segregated education fosters black alienation, her findings support the notion that unless we begin desegregating our schools now we can expect little success from measures such as open housing laws. Blacks simply are not prepared to use such measures. It is a rare person who is willing to voluntarily put himself and his family into a hostile white suburban community where current racial attitudes in all likelihood may lead to insults and

165. Dorothy K. Jessup, "School Integration and Minority Group Achievement," in Dentler et al., *The Urban R's: Race Relations as the Program in Urban Education*, p. 96.

166. Kenneth B. Clark, "Educational Stimulation of Racially Disadvantaged Children" in *Education in Depressed Areas*, ed. A. Harry Passow (New York: Teachers College, Columbia University, 1963), pp. 156-57.

167. Bullough, *Social Psychological Barriers*, p. 129.

possible physical injuries to his person and property. The multiracial classroom, however, mediates against black alienation and at the same time builds up white attitudes more favorable to residential desegregation.

Poor self-concepts among black children are also directly related to differential treatment of students by personnel in all-black schools and to differences in resources allocated to education in the inner city, where black schools are usually located. The black child going through a segregated school system perceives that his opportunities are limited in that system and this in turn affects his "educational motivation."[168] Black parents relate desegregated education to improved education and view desegregation as vital to the economic advancement of their children and to the development of a sense of personal worth.[169]

THE ROLE OF THE TEACHER

The Rosenthal and Jacobson studies of the self-fulfilling prophecy in education clearly define the role that teachers play in urban schools in limiting the horizons of their students and negatively affecting their academic progress.[170] The middle-class teacher comes into the urban school and teaches the middle-class values of obedience, respect for authority, and conscientiousness, without regard for the unique cultural diversity of the urban student body. A great number view their assignments to inner city schools negatively, and this attitude interferes with their ability to make a total commitment toward educating their students. Chesler, of the University of Michigan, clearly points out the failure of colleges of education to effectively train teachers to fill their special role in urban schools by stating that "most teachers, like most Amercians, are not prepared for interracial living. By and large, they do not know how to improve racial relations in the classroom. Before large numbers

168. Testimony of Robert L. Green, *Bradley* v. *Milliken*, p. 865.

169. Raymond W. Mack, ed., *Our Children's Burden: Studies of Desegregation in Nine American Communities* (New York: Random House, 1968), pp. 445-46.

170. Robert Rosenthal and Lenore Jacobson, *Pygmalion in the Classroom* (New York: Holt, Rinehart & Winston, 1968).

of teachers can make progress on this front, we will have to provide them with helpful ideas, skills, and encouragement." [171]

Teachers display their attitudes not only in their treatment of students, but also in the ways in which they describe people being studied and the way they interact with faculty members of different ethnic and religious backgrounds. Much of the racism in today's classrooms is not overt. It often stems from the unconscious belief that children living in public housing or supported by ADC or whose language resembles what we now call "ghetto English" cannot learn.[172] This attitude is not necessarily limited to white teachers. That is why efforts to desegregate faculties, such as those made in Detroit in the 1960s and praised by Judge Roth in his decision, are meaningless unless accompanied by student desegregation. Black teachers are equally prone to regard students in all-black schools as incapable of learning, and these teachers in the past have often regarded their placement in black schools as punishment for being less competent than white teachers.[173] Ray Rist's 1970 study of student social class and teacher expectations found that beginning at the kindergarten level, black teachers in all-black schools display differential treatment toward students showing evidence of higher-income backgrounds and those who apparently are low-income students. Higher-income black students have greater access to the teacher and instructional materials, while low-income students begin to see themselves as "dumb" and "stupid." Rist concluded that even within the black classroom the seeds of social-class differentiation are planted. This leads low-income blacks to regard themselves as "unclean and intellectually inferior" and prepares them to become the unemployed and underemployed of American society.[174]

In Michigan the 1967 Public School Racial Census prepared

171. Mark A. Chesler, "Interaction and Teaching Alternatives in Desegregated Classrooms," in Green, *Racial Crisis in American Education*, p. 118.

172. Donald H. Smith, "The Black Revolution and Education," in Green, *Racial Crisis in American Education*, p. 65.

173. Testimony of Robert L. Green, *Bradley* v. *Milliken*, p. 1032.

174. Edsel L. Erickson, Clifford E. Bryan, and Lewis Walker, "The Educability of Dominant Groups," *Phi Delta Kappan* 53 (1972): 320.

by the State Department of Education revealed that teacher attitudes toward students were more negative in classes with large numbers of black pupils. The study showed that greater the percentage of blacks in a class, the lower the teacher's evaluation of students' academic ability and motivation.[175] We see at work the phenomenon Clark called "educational atrophy," in that "children who are treated as if they are uneducable almost invariably become uneducable."[176] It is the segregated school setting that first cues the teacher, black or white, to the belief that he or she is dealing with "uneducables."

THE SIGNIFICANCE OF POORER FACILITIES

Studies of predominately black inner city schools have found that such schools have fewer library books, laboratories, auditoriums, cafeterias, gymnasiums and athletic fields. Teachers, both black and white, assigned to black schools score lower on verbal ability tests, have lower morale, and are more likely to seek transfers to different schools. Black schools are housed in older, larger, and more crowded buildings, and are less likely to offer enriched educational programs.[177] The Detroit school system fits this description well. Thirty of the school buildings in Detroit's central city in use in 1968 were dedicated during President Grant's administration.[178] In 1961, 55 percent, or more than half of the school buildings in Detroit's lowest income area, were rated either "poor" or "fair," while only 5 percent of the schools in the highest income area received this rating.[179] Detroit's central city schools have been significantly inferior with respect to normal class size, number of substitute teachers, quantity and quality of school facilities, safety of the school site, amount of play space, and special services.[180] In terms of per pupil expendi-

175. Ermon O. Hogan, "Racism in Educators: A Barrier to Quality Education," in Green, *Racial Crisis in American Education*, p. 157.

176. Clark, *Dark Ghetto*, p. 196.

177. Mack, *Our Children's Burden*, p. 443.

178. *Report of the National Advisory Commission on Civil Disorders*, p. 433.

179. Patricia Cayo Sexton, "Comments on Three Cities," in Weinberg, *Learning Together*, p. 57.

180. Patricia Cayo Sexton, *Education and Income: Inequities in Our Public Schools* (New York: Viking Press, 1961), chap. 3.

ture, Detroit is not the lowest on the scale when compared to the surrounding suburbs, nor is it near the top of the list. But the former school superintendent, Norman Drachler reported to the Kerner commission that "twenty-five school boards in communities surrounding Detroit spend up to $500 more per pupil per year to educate their children than the city. Merely to bring the teacher-pupil ratio in line with the state average would require an additional 16,650 teachers at an annual cost of approximately $13 million." [181]

The significance of these facts lies less in their direct impact on black pupil achievement than in what they signify for student self-concept and the views of the black community at large toward its schools. If pouring more money into schools would bring up the performance of black students, the direction of future educational efforts would be better defined than it is today. But the Coleman report noted that variations in facilities and curricula among schools have little impact on student achievement, although minority students are more affected by poor facilities, curricula, and teachers than whites.[182] The significance of inferior facilities in black areas lies in what the black child sees everyday as he enters the school building—for him old buildings signify the limited opportunities available to blacks in American society, the low regard for minorities held by the white majority, the upward and often losing struggle for even an educated black in the current social system. Even if Title I funds increase the per pupil expenditures in inner city schools, as has been the case in Detroit, the perception of the black community still tends to be that separate but equal, even separate and maybe a little more than equal in pupil expenditure, still leaves the black student at a disadvantage.[183]

Adding financial resources for compensatory education programs and improved facilities has proved an ineffective strategy which avoids the pressing issue of school desegregation. Compensatory education programs were designed to be used along with desegregation and such programs in racially isolated environments do not foster the belief in black children that they are truly valuable individuals,

181. *Report of the National Advisory Commission on Civil Disorders*, p. 434.

182. Coleman et al., *Equality of Educational Opportunity*, p. 21.

183. Testimony of Robert L. Green, *Bradley* v. *Milliken*, p. 1057.

capable of succeeding. None of the widely publicized compensatory programs has significantly affected the achievement level of participants.[184] Despite the influx of Title I funds into Detroit, overall school achievement levels have continued to sink farther below the national norm, with all-black schools performing worse than all-white ones. Only desegregation can affect the black self-concept in such a way as to negatively affect black achievement.

STUDENT ACHIEVEMENT AND THE MULTIRACIAL CLASSROOM

Concern for improving black self-concept stems from the notion that the self-concept is believed to be the best single predictor of achievement for black students.[185] Jessup, in her study of New York City schools, concluded that reduction in low achievement patterns for minority students is directly related to improvement in their self-concepts. Therefore, she concluded that "if these findings are valid, the first and most urgent task to be accomplished in raising the educational level of disadvantaged children is to resolve the problem of segregation. Improved techniques and school programs can only be effective when this has been done." [186]

Several studies have shown that higher self-concepts and higher achievement levels among blacks are directly related to the racial composition of the school and classroom. Pettigrew's research emphasizes the direct relationship between black achievement and aspirations and the multiracial classroom where the opportunity exists for cross-racial self-evaluation.[187] A major premise of the Coleman report is that black student achievement is strongly related to the educational backgrounds and aspirations of the other students in his class. It states that "if a white pupil from a home that is strongly and effectively supportive of education is put in a school

184. U.S. Commission on Civil Rights, *Racial Isolation*, p. 196.

185. Robert Lee Green and William W. Farquhar, "Negro Academic Motivation and Scholastic Achievement," *Journal of Educational Psychology* 56 (1965): 242. See also Ermon O. Hogan and Robert L. Green, "Can Teachers Modify Children's Self-Concepts?" *Teachers College Record*, 72 (1971): 423-26.

186. Jessup, "School Integration," p. 97.

187. Thomas F. Pettigrew, "Race and Equal Educational Opportunity," *Harvard Educational Review* 38 (1968): 73-74.

where most pupils do not come from such homes, his achievement will be little different than if he were in a school composed of others like himself. But if a minority pupil from a home without much educational strength is put with schoolmates with strong educational backgrounds, his achievement is likely to improve.[188]

Alan B. Wilson, in a study for the U.S. Commission on Civil Rights, found that the positive effect of multiracial schools on black student achievement and attitudes is independent of the pupil's home environment. He writes that "while residential integration may be a desirable goal in its own right, the effectiveness of school integration is not dependent upon concomitant changes in neighborhood patterns."[189] Haggstrom also observes that black children benefit from comparison with white classmates, regardless of the attitudes white children have toward them.[190]

The preponderance of studies on school desegregation and student achievement supports the belief that desegregation positively influences whites without negatively affecting white student performance. In White Plains, New York, a busing program has been carried out successfully since 1964 with black student gains of from 5 to 15 percent on reading and arithmetic achievement tests for third-graders who had attended integrated schools since the first grade. White students in integrated schools since 1964 were also found to be performing better than their predecessors in segregated schools.[191] Similarly, after one year's experience with a busing program for grades K-5 known as Project Concern of Hartford, Connecticut, tests showed that for grades K-1 achievement in arithmetic, vocabulary, and verbal IQ increased; in grades 2 and 3, total IQ test performance increased; and in grades 4 and 5, vocabulary scores increased significantly. A study done after the second year of the Hartford program found black students moving "toward greater verbal productivity, increased accuracy in the associative and sort-

188. Coleman et al., *Equality of Educational Opportunity*, p. 22.

189. U.S. Commission on Civil Rights, *Racial Isolation in the Public Schools*, II: 202.

190. Warren C. Haggstrom, "Segregation, Desegregation and Negro Personality," in Weinberg, *Learning Together*, p. 57.

191. Bouma and Hoffman, *The Dynamics of School Integration*, pp. 146-47.

[illegible] and an enhanced willingness to take a risk in terms of verbal responses to situations."[192] A 1958 study of schools in New Albany, Indiana, found that after two years of desegregation the achievement gap between blacks and whites narrowed significantly. Concerning this study, Weinberg wrote that "the researcher attributed this improvement directly to desegregation." He found, too, that the Negro children who attended interracial elementary schools started out in the first grade achieving at the same level as Negro children did in the segregated school. By third grade, however, the desegregated Negro children had pulled ahead; this continued into sixth grade.[193] The researcher concluded that the longer the association between black and white pupils in desegregated schools, the smaller the gap in academic achievement between them. This is the result of an improved school climate and the change in teacher expectations.

The school busing program implemented voluntarily in Berkeley, California, has been a model for other school systems seeking to create multiracial schools. Berkeley cross-buses 40 percent of its elementary school children to achieve multiracial classrooms. Implementation of the program, completed in 1968, has been accomplished without parental resistance, mainly because of effective local leadership in the political and educational spheres.[194] A state of California study of reading levels in grades 1–3 found that Berkeley blacks averaged 19.5 months gain in reading for a two-year or twenty-month period. This far exceeds the average national gain for blacks on similar tests and compares favorably with twenty-one-month average gain for Berkeley whites.[195]

ACHIEVEMENT IN DETROIT

Achievement levels for students in the Detroit public schools have not reached the national norm since 1957. This is true for both blacks and whites in the city, although black schools have been even

192. Weinberg, *Desegregation Research*, pp. 78–79.

193. Ibid., pp. 48–49.

194. Neil V. Sullivan, "Educational Leadership at the Crossroad" in Green, *Racial Crisis in American Education*, pp. 291–92.

195. William Grant, "Integration: Does It Help Education?" *Detroit Free Press*, 19 July 1972, P. 4A.

farther below the national average than white ones. On the "Iowa Test of Basic Skills" administered in 1969, the national mean score was 4.1, but the Detroit city-wide mean was only 3.2. However, the mean for students in schools 90 percent or more white was 3.63 compared to 3.01 in schools 90 percent or more black.[196] The pattern of black students being further behind than whites is repeated at grades 6 and 8; and, using the STEP reading test as a measure, at grades 10 and 12.

There is a body of data from such men as Otto Klineberg, Robert Havighurst, Kenneth Clark, and Martin P. Deutsch to support the point of view that there is little difference between black and white children when they enter the school system. Significant differences between black and white achievement begin to appear once children are engaged in the educational program, and this gap increases over time. Coleman reported that in tests of some verbal and nonverbal skills, minority student scores are farther behind the white majority at the twelfth grade than they were at the first grade.[197] The pattern of increasing deterioration of black student performance as the time in school increases is not unique to Detroit.[198] A study in Plainfield, New Jersey, comparing achievement in a predominately black elementary school with performance in three white schools found that scores for the black school ranged from 1.1 to 2.4 grade levels below the average for the white schools, with a greater disparity between blacks and whites in grade 6 than in grade 3.[199]

Tracking or ability grouping in the Detroit school system has played a significant role in bringing about the low level of minority student achievement described above. Tracking in Detroit represents another way in which a segregated school system works to separate blacks from the few whites in their schools and to separate higher-

196. Detroit Board of Education, *Selected School Data*, January, 1971.

197. Coleman et al., *Equality of Educational Opportunity*, p. 22.

198. Robert L. Green et al., *The Educational Status of Children in a District without Public Schools*, Cooperative Research Project no. 2321, U.S. Office of Education, Dept. of Health, Education, and Welfare, Prince Edward County, Virginia; a study of school-deprived black children, 1964.

199. Max Wolff, *A Study of Racial Imbalance in the Plainfield Public Schools* (Plainfield, N.J.: Board of Education, 1972), pp. B29-30, tables B14-15.

achieving from lower-achieving blacks. Typically, blacks have been placed in tracks reflecting a lower academic press. Youngsters in lower academic tracks very often are viewed by teachers not as educationally retarded but as intellectually retarded, and thus incapable of benefiting from the school experience.[200] This is all part of the Rosenthal and Jacobson concept of the self-fulfilling prophecy in education. Clark observed that "once one organizes an educational system where children are placed in tracks or that certain judgments about their ability determine what is done for them and how much they are taught, the horror is that the results tend to justify the assumptions."[201]

In Detroit, tracking has been an integral part of educational planning. It is significant that English, a subject essential to success in almost every other academic area, is the most rigidly tracked curriculum.[202] The 1968 Detroit High School Study Commission report found that "in those schools where approximately one-half of the students are at one end of the continuum, such as track II, and most of the other students are in track IV or track VI, the percentage of Negroes in these schools parallels these percentages."[203] Blacks in Detroit have been trapped in lower ability groups where it has been impossible for them to experience the full range of educational activities which might allow them in some way to close the achievement gap between blacks and whites. Placement of blacks in lower tracks symbolizes inferiority and leads to low self-esteem and consequently to poor academic performance. Tracking to create segregated classrooms is as damaging to black achievement as segregated schools.

All children can learn in the proper educational setting. A study of the impact of one year of watching the popular television show "Sesame Street" found that "children from disadvantaged backgrounds who watched the program more than middle-class children

200. Robert L. Green, "After School Integration—What?: Problems in Social Learning," *Personnel and Guidance Journal* 44 (1966): 705.

201. Clark, *Dark Ghetto*, p. 128.

202. *Report of the Detroit High School Study Commission*, Detroit Public Schools, June 1968, p. 104.

203. Ibid., p. 115.

learned more than their advantaged peers." [204] Economically disadvantaged youngsters need not become educationally disadvantaged. There is nothing preordained about the educational failure of blacks in urban schools. The fault lies not in the children but rather in the educational personnel who have regarded black failure as inevitable. This is part of the total picture of educational irresponsibility which has contributed to the misinformation and bitterness pervading the debate on school desegregation and school busing in Detroit and throughout the nation.

THE LIE BEHIND THE NEIGHBORHOOD SCHOOL CONCEPT

Instead of setting the example for the public to follow, many school administrators and teachers have joined in the chorus of misinformed citizens who pit the neighborhood school concept against the need to bus children to create multiracial schools. The sudden revival of interest in neighborhood schools is directly related to white society's desire to avoid the issue of school desegregation without appearing to be racist. The doctrine of equal opportunity has reached the ears of the great majority of Americans and they shrink from openly denouncing it. Instead, they act in ways to deny equal educational opportunity to blacks and other minorities by defending the "right" of their children to attend neighborhood schools, while minorities are contained in educationally inferior settings from which they cannot escape. One St. Louis, Missouri mother, discussing the motives of parents who are avoiding school desegregation orders, accurately focused on the real problem: "They mouth one thing, but their hearts are saying something else. The real issue is race. They are afraid that blackness and poverty might rub off on their kids." [205] Today's spokesmen for neighborhood schools are the same people who in the early 1950s told the Reverend Oliver Brown that his daughter did *not* have the right to attend her neighborhood school, and instead she had to attend an all-black school twenty-four blocks away from her home.

The whole notion of the neighborhood school has been a myth

204. Gentry et al., *Urban Education*, p. 11.

205. James T. Wooten, "Some Parents Dodge Integration," *New York Times*, 4 January 1972, p. 16.

for the bulk of Americans for a long time. This myth has become even more popular since the Supreme Court proscribed school segregation. Chroniclers of American education report that the "neighborhood school" was not the institution on which our educational system was based. The evidence is clear that much of the present emphasis on the so-called neighborhood school is directly related to the migration of southern blacks to northern urban centers.[206] The neighborhood school began as a tool for discrimination against minorities and is still being used in this way. Dodson appropriately describes the function of the neighborhood school today as a "turf on which those who have power shield themselves from those who are powerless. They are able to attract for the education of theirs what cannot be provided for the entirety of the community. They are content to live with such unshared privilege. Hence, it tends to corrupt both the powerful and the powerless . . . it is impossible to teach community in a neighborhood school." [207]

A review of relevant court decisions reveals few precedents to support the notion that the neighborhood school is a well-established American institution. Assertions of the supposedly long history of neighborhood schools are rarely supported with hard data.[208] Recent court cases have held that the right to attend a neighborhood school is not really inviolate. In a 1964 New Jersey school case, the court said that "the so-called neighborhood school concept . . . is not so immutable as to admit no exceptions whatsoever." Similarly, a 1964 New York decision stated that "the court does not hold that the neighborhood school policy per se is unconstitutional; it does hold that this policy is not immutable." [209]

THE BUSING CONTROVERSY

The neighborhood school concept is expendable when it infringes on the constitutional guarantee of equal protection. In the ideal

206. Meyer Weinberg, "School Integration in American History," in Weinberg, *Learning Together*, p. 8.

207. Dan Dodson, "Education and the Powerless," in Passow et al., *Education of the Disadvantaged*, p. 66.

208. Weinberg, *Race and Place*, p. 5.

209. Ibid., p. 6.

society free from all discrimination and its effects, every child might be able to attend his or her neighborhood school. This is not the case today. In many ways the neighborhood school is obsolete in the context of the realities of urban America today. Metropolitan areas like Detroit are made up of highly interrelated and interdependent communities. Neighborhoods are arbitrarily defined by school boards which use various written and unwritten criteria in setting school boundaries. As Sedler points out:

> What constitutes a neighborhood for school purposes depends on what the board classifies as a neighborhood. This is particularly true in regard to elementary schools in the cities where one school may be located but a few blocks from another. Many children are practically as close to one school as to another. The board can decide that a neighborhood shall be classified as running north and south or east and west. It decides what fringe areas shall be included in a particular neighborhood. Where racial ghettos merge, a particular choice may result in factually segregated schools or integrated schools.[210]

Frequently, a resident of Detroit who lives in one neighborhood may drive his car fifteen or twenty-five miles to work in another community. If transportation can be used to take people out of their home neighborhoods to earn a living, school children should have the same opportunity to employ these technological advances in transportation to obtain quality education in multiracial settings. The U.S. Commission on Civil Rights stated in 1967:

> We do not hesitate to bus our children long distances in rural areas, or, in cities, to private schools or to schools offering special advantages. Thus, the issue is not whether small neighborhood schools are good or busing bad, *per se*, but whether the interests of our children will be served or impaired by particular proposals or solutions.[211]

Busing has long been accepted as an educational tool in this country, but it only became controversial when promoted as the most effective strategy to overcome racial segregation in the schools. In 1920, one out of every fifty school children in the U.S. rode a bus to school; by 1962, one out of every three children did.[212] In

210. Robert Allen Sedler, "School Segregation in the North and West: Legal Aspects," *Saint Louis University Law Journal* 7 (1963): 252.

211. U.S. Commission on Civil Rights, *Racial Isolation*, p. 196.

212. Weinberg, *Race and Place*, p. 26.

1971, 42 percent of the nation's 19.6 million elementary and secondary school students were bused to school, and 80 percent of all U.S. school districts maintained at least one school bus.[213] Assertions of the physical danger to children riding buses fail to take into account that the accident rate for children on school buses is less than one-sixth the rate for children walking to school. The American Automobile Association reports that most children in traffic accidents "are killed or injured near their homes."[214] It is safe to infer that many of these accidents occur while children are walking to their neighborhood schools.

In the Detroit area, busing has been a widely accepted practice in suburban school districts. As noted earlier, over 200,000 students in the desegregation area are already bused to school each day. Judge Roth found that within Detroit, the school board's policy to relieve overcrowding was to bus black students past and away from white schools with available seats to all-black or predominately black schools.[215] Roth stated that with one exception the Detroit board never bused white children to black schools, even though inner city schools, 90 percent or more black, had over 20,000 vacant seats.

In many cases where busing has been implemented, white parents' fears of school unrest and even violence have proved unfounded. Such fears are generated by the prejudices of parents, not by children. Despite school disturbances in Pontiac, Michigan, in September 1971, desegregation of schools in that city has been judged successful. The limited busing program implemented in 1971 in Lansing, Michigan, represents another case of nonviolent desegregation of schools. Former Berkeley school superintendent Sullivan observed that over the years black children have been the victims of violence more frequently than white children in newly desegregated schools.[216] Robert Cole concluded on the basis of his ob-

213. Gene I. Maeroff, "School Bus, an Old American Standby, Stirs Tension as a Vehicle of Change," *New York Times*, 10 January 1972, "Annual Education Review," sec. XX, p. 5.

214. Weinberg, *Race and Place*, p. 25.

215. *Bradley* v. *Milliken*.

216. Sullivan, "Educational Leadership at the Crossroads," p. 288.

servations of several busing situations that, initially, black and white students feel threatened by each other, but he reported no physical or psychological harm to either group.[217]

THE POLITICAL NATURE OF EDUCATION

Busing in Detroit, Richmond, Memphis, and other metropolitan areas will not automatically solve all of the nation's education problems, but it will provide a very necessary beginning. If the debate over school busing in Detroit and nationwide has had any value at all, it has been to emphasize the fact that the problems of American education are political issues requiring political solutions. In Michigan, busing has become literally the only issue on which the election of the state's U.S. senator is being decided in 1972. Republican incumbent Senator Robert P. Griffin promoted himself as the chief sponsor of a constitutional amendment to ban school busing. Bowing to political pressure, his opponent, Frank Kelley, state attorney general, advertised himself as the man who spearheaded the appeal of the Roth decision and he broke with established precedent by arguing the case in person before the circuit court of appeals this summer (1972). Kelley's later position was a reversal of a stance taken earlier when he signed a Democratic party position paper endorsing busing as a tool to bring about multiracial schools. It appears that, as in the past, the crucial question of how we can best meet the educational needs of all children will be decided by politicians and not by educators.

We know that black children will not automatically perform better in school simply because they are seated next to whites. We also know that multiracial schools are politically and educationally more secure because race is neutralized as a factor that allows teachers and school boards to discriminate against children. Charles Sumner, arguing in an 1849 court case in favor of multiracial schools in Massachusetts, presented an early claim that "the school derives strength from the unity and solidarity of all classes beneath its roof. In this way the poor, the humble, and the neglected not only share the companionship of the more favored, but enjoy also the protection of their presence, which draws toward the school a more watchful

217. Goff, "Quality Education: New Guidelines," p. 222.

superintendence. A degraded and neglected class, if left to themselves, will become more degraded or neglected." [218]

Pettigrew believes that the continued high level of achievement for whites in desegregated schools occurs in part because the pressure is too great to prevent its decline. School officials know that politically they dare not permit white achievement to decline, and so they make whatever changes are necessary to see that this does not occur.[219]

Education in America is big business. The total budget for education in this country exceeds $42 billion—more than the budget of most American corporations. School officials cannot afford to let the "profits" for whites fall; if they do, they face a possible "stockholders" revolt. Therefore, school personnel are willing to do anything they can in order to keep white performance high. This, in turn, is reflected in black student achievement in multiracial schools. Blacks have to recognize that whites clearly control the American political and educational arenas. Whites do not perceive themselves threatened by black failure in segregated schools, because the problem is "ghettoized." Multiracial schools threaten whites so that they become willing to use their powers and resources to improve the quality of education offered to blacks. The improvement of multiracial schools then becomes the majority group's self-interest.

The Michigan Education Association, which represents most of the school teachers in the suburban desegregation area, filed an amicus curiae brief in the Detroit case, focusing on the need to improve teacher training and improve curricula in central city schools. While there is certainly a need to reevaluate both teacher preparation programs and what is being taught in the schools, the MEA brief provides a further example of the educational establishment refusing to deal with the real problems of urban education. The MEA has not spoken out on the main issue in Detroit. It has not come out in support of school busing as the only means now available to create multiracial schools in the Detroit area. It has not pledged that its member teachers will do everything possible to insure the success of desegregation. Instead, the MEA has skirted

218. Charles Sumner, "The Evils of Separate Schools, 1849" in Weinberg, *Learning Together*, p. 2.

219. Grant, "Integration: Does It Help Education?" p. 4A.

the issue by focusing on secondary issues and has even requested the court to exclude MEA teachers from the faculty desegregation order because they were not actually defendants in the case. Without multiracial schools, the reforms proposed by the MEA would be meaningless.

Once a school is effectively desegregated, it is time to develop new programs for teachers, students, and parents to build most effectively on the advantages of multiracial schools. In Detroit, plans have been developed for a faculty and staff in-service training program to be carried out before complete desegregation is implemented. In this way, school personnel can begin to explore the ways in which teachers express negative attitudes toward minority students and develop new behaviors which reflect faith in the ability of all children to learn in multiracial settings. In addition, Roth ordered each school in the desegregation area to insure that its curriculum, activities, and conduct standards respect the diversity of students from differing ethnic backgrounds.[220] Roth took into account the need to involve parents in educational planning and to provide active channels through which parents could easily express their concerns to school officials. Each school in the desegregation area will have a biracial advisory committee, consisting of parents, students and teachers.[221] An areawide complaints council will also be set up to mediate complaints about schools in the desegregation area, thus providing an avenue for dialogue between different sectors of the Detroit community. I believe that the most significant kind of community control of education resides in the ability of parents to make reasonable and honest inputs into the school system to affect the educational programs of their children. The faith of parents in their ability to effectively correct defects in the system positively influences both parent and student attitudes toward the schools. The desegregation plan for Detroit includes adequate provisions to facilitate this type of educational community control.

THE UNIVERSITY AND MULTIRACIAL EDUCATION

Throughout the history of this country, race has played a significant part in shaping educational institutions in the North as well as

220. *Bradley* v. *Milliken.*

221. Porter, *Recommendations Regarding the Financial, Administrative, Governmental and Contractual Arrangements,* p. 30.

in the South. Racism in education has been just one part in the overall pattern of racial discrimination, which has pervaded all social activities in America. Now the white-power structure is being asked to answer the challenge of operationalizing the ideals of a democratic society through northern school desegregation. Closing the gap between black and white in America, the Kerner commission wrote, will require "new attitudes, new understanding, and above all, new will."[222] The educational structure has the potential to provide all three. Multiracial schools can provide an example for the community at large to work toward erasing the differences in opportunity resulting from racial and income variables.

Universities as the training ground for future educational personnel can play a significant part in preparing teachers and administrators who will actively promote and work toward the success of multiracial schools. Currently we are turning out teachers who do not understand how their attitudes and behaviors negatively affect minority student performance, who do not perceive themselves and the schools as agents of social change, and who do not know how to significantly involve parents in the educational process. Colleges of education have the responsibility to alter radically their training programs to meet the demands of urban education to bring them in line with the findings of the latest research in this area. One meaningful approach would be to expose education majors to multiracial school settings very early in their academic careers.[223] The teacher should be prepared during his or her student days to work with the many unique problems associated with the multiracial school. Through early exposure to urban classrooms, students who have particular desires or abilities to work in these settings could be identified and encouraged in their work. Like prodigies in art and music, the good teacher must be nurtured and supported in every way possible, so that his or her talent is not lost or diverted elsewhere during four years of college.

In addition to training new personnel, universities should encourage local school systems and state education agencies to plan retraining programs for current school teachers and administrators.

222. *Report of the National Advisory Commission on Civil Disorders*, p. 2.

223. Green, "After School Integration—What?: Problems in Social Learning," p. 708.

This could be done through special seminars at the university or through regular courses offered in colleges of education. Educators have been unwilling to admit that many of the practices of the past are unsuitable for today's classrooms. Universities can help them to realize this and take necessary steps toward improvement.

The failure of adults, particularly in the educational sphere, has hurt all of our children. Change requires courageous and strong leadership. As former Commissioner of Education Howe told a school administrators' conference:

> It is now much less dangerous to make a mistake than to do nothing. The load we carry is that of irritating a fair percentage of our white constituents . . . of embarrassing some governors and mayors, of alarming some newspaper publishers and enraging suburban taxpayers, who in proportion to their means, are not paying as much for their good schools as paupers are paying for their bad ones.
>
> Unless all of us are willing to put our job and our integrity on the line, we should admit that American educators are no longer prepared to be prime movers in American education.[224]

In Detroit, the NAACP had to be the "prime mover" in the desegregation suit. This should not have had to happen. It should, however, serve as a warning to the educational establishment that even if it abdicates its social responsibilities, outside groups like the NAACP will continue to press for changes until racism in American education is eliminated. School personnel and university professors of education should face their social responsibilities so that they can assist in shaping a nation free from arbitrary race and class distinctions that affect the lives of all men.

224. Bouma and Hoffman, *Dynamics of School Integration*, pp. 56-57.